

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2298 of 2018

Arising Out of PS.Case No. -368 Year- 2017 Thana -NAUBATPUR District- PATNA

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1. Sobhi Manjhi, son of Ganeshi Manjhi @ Preman Manjhi.
 2. Naresh Manjhi, Son of Ganga Manjhi,
 3. Sudeshwar Manjhi, Son of Hazari Manjhi,
 4. Sumitra Devi, Wife of Late Chhote Manjhi, All residents of Village- Narainpur Mishahari, P.S.- Naubatpur, Dist- Patna.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bindeshwar Prasad Singh, Advocate.

For the Opposite Party : Mr. Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 40 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been



implicated in the present case. It is alleged that total 40 liters wine is recovered from different accused persons. As far as the petitioners are concerned, from their joint house, only 35 liters wine is said to have been recovered. The name of the petitioners has come in the present case as the alleged recovery is said to have been recovered from joint house of the petitioners where other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VIII-cum-Spl. Judge, Excise, Patna, in connection with Naubatpur P.S. Case No. 368 of 2017, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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