

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32551 of 2018

Arising Out of PS. Case No.-290 Year-2017 Thana- KHAIRA District- Jamui

-
1. Mahendra Manjhi, son of Golho Manjhi
 2. Devki Devi wife of Mahendra Manjhi
 3. Ram Manjhi @ Rama Manjhi, son of Mahendra Manjhi
 4. Bindu Devi wife of Ram Manjhi @ Rama Manjhi
 5. Gopal Manjhi son of Jagan Manjhi
 6. Poni Devi wife of Gopal Manjhi
 7. Ullu Manjhi son of Gopal Manjhi
 8. Sonia Devi wife of Ullu Manjhi
 9. Subodh Manjhi son of Pyare Manjhi @ Pyale Manjhi
 10. Panwa Devi wife of Subodh Manjhi
 11. Baso Manjhi, son of Late Lataya Manjhi
 12. Sarita Devi wife of Basu Manjhi

All residents of Nawdiha Manjhi Tola, P.S. Khaira,
District-Jamui

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Adv.
For the Opposite Party/s : Mr. Sri Ajay Kumar-1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 26-06-2018 Heard Sri Satya Prakash Parasar, learned counsel for

the petitioners and Sri Ajay Kumar No.1, learned Addl. Public

Prosecutor.

Twelve petitioners, apprehending their arrest in
Khaira P.S. Case No. 290 of 2017 registered for the offence
under Sections 272, 273 of the Indian Penal Code and Sections
30(a) (d), 38(i) of the Bihar Prohibition and Excise Act, 2016,
have prayed for grant of bail, in the event of their arrest or



surrender.

It was submitted by learned counsel for the petitioners that the police conducted raid in the houses of the petitioners and others and recovered some quantity of country-made liquor (Mahua liquor) from the house of each of the petitioners. It has been argued that the husband and wife including all inmates have been made accused in the present case. Learned counsel for the petitioners has drawn my attention to the statement made in paragraph-3 of the petition to show that petitioners are having clean antecedent.

Learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail on the ground that huge quantity of Mahua liquor was recovered. However, he was not in a position to dispute the fact that husbands and wives have also been made accused.

In view of facts and circumstances, particularly the fact that recovery was affected from the house of each of the petitioners, there is no reason to extend the privilege of anticipatory bail to male members. However, the petitioners, who are female and have been arrayed as accused due to the reason that from the houses recovery was affected and their husbands have been arrayed as accused. Accordingly, the prayer for anticipatory bail in respect of (i) Mahendra



Manjhi(petitioner no. 1),(ii) Ram Manjhi @ Rama Manjhi(petitioner no. 3),(iii) Gopal Manjhi(petitioner no. 5), (iv) Ullu Manjhi (petitioner no.7),(v) Subodh Manjhi (petitioner no.9), (vi) Baso Manjhi(petitioner no. 11) stands rejected.

So far as prayer for grant of anticipatory bail in respect of (i) Devki Devi (petitioner no.2), (ii) Bindu Devi (petitioner no.4), (iii) Poni Devi (petitioner no.6), (iv) Sonia Devi (petitioner no.8), (v) Panwa Devi (petitioner no.10) and (vi) Sarita Devi (petitioner no.12) are concerned, in view of the fact that they have been arrayed as accused along with their husbands, in the event of their arrest or surrender within six weeks from today, let the aforesaid petitioners, named herein above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No.290 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

U		T	
---	--	---	--

