

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62532 of 2017

Arising Out of PS.Case No. -256 Year- 2017 Thana -NAUBATPUR District- PATNA

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1. Bhushan Manjhi, S/o Ramrup Manjhi,
2. Sikanti Devi W/o Ramashish Majhi,
3. Ram Prawesh Manjhi S/o Ramashish Manjhi,
4. Chandeshwar Manjhi @ Chandradeo Manjhi S/o Babu Chandra Manjhi,
All are R/o Village- Adampur, Piplawan Matkhan, P.S.- Naubatpur,
District- Patna.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 30(A), 37(C)/38 of Bihar Prohibition
and Excise (Amendment) Act, 2016.

The prosecution story, in brief, is that total 10 litres of
liquor is said to have been recovered.

It has been submitted on behalf of the petitioners that
the petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioners. The name of the petitioners has come on the basis of
suspicion. Except for this, there is no other substantive evidence
to suggest the implication of the petitioners in this case. It is



alleged that total 10 litres of liquor is recovered from the joint houses of the petitioners, where other family members also reside. 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 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Special Case No.5386/2017, arising out of Naubatpur P.S. Case No.256 of 2017, on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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