

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12938 of 2018

Arising Out of PS.Case No. -402 Year- 2017 Thana -JAKKANPUR District- PATNA

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1. Jitendra Manjhi, Son of Sadhu Manjhi, resident of Mohalla – Phulwari, AIIMS ke Najdik, Police Station – Phulwari, District-Patna.
 2. Kuha Kumar, Son of Mithilesh Manjhi, resident of village – Gangachak, Police Station – Masaurhi and District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Dr. Indivar Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 06-03-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in Special Case No. 8718 of 2017 arising out of Jakkanpur P.S. Case No. 402 of 2017 registered under Section 30(d) of the Bihar Prohibition and Excise Act, 2016 and Section 2(e)/3/5(B) of the Mahua Flower Act, 2016.

6 quintal of mahua is said to have been recovered from the possession of the petitioners and one other accused, namely, Sunil Rajbhar and the petitioners and said accused were apprehended.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners. They have been



falsely implicated in the case at the instance of their enemies by planting aforesaid recovery from their possession. They happen to be simple labourer. They have no concern with the seized mahua. They have been languishing in custody since 04.12.2017.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Special Case No. 8718 of 2017 arising out of Jakkanpur P.S. Case No. 402 of 2017.

(Prakash Chandra Jaiswal, J)

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