

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22800 of 2018

Arising Out of PS.Case No. -271 Year- 2017 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

- =====
1. Manmanti Devi @ Manmati Devi W/o Kapal Manjhi @ Kail Manjhi
 2. Jira Devi W/o Lakhon Manjhi Both residents of village - Sohan Bigha,
P.S. - Magadh Medical, Distt - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Sri Umanath Mishra

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 2 26-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections-30(a)(d) & 38(1)(2) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1086 liters wine is 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 against the petitioners. The name of the petitioners has transpired as the alleged recovery is said to have been made 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. It is alleged that 1086 liters wine is recovered from 14 different houses out of which, 48 litres and 63 litres wine is recovered from joint house of the petitioner Nos. 1 & 2 respectively. Petitioners are ladies. 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/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 learned Court of Special Judge (Excise Act), Gaya in connection with Magadh Medical P.S. Case No. 271 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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

