

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62262 of 2017

Arising Out of PS.Case No. -153 Year- 2017 Thana -BUNIADGANJ District- GAYA

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1. Kabutari Devi W/o Manoj Manjhi
2. Lalit Manjhi S/o Late Barat Manjhi Both Resident of village- Manpur
Surya Pokhar, P.S.- Buniyadganj, District- Gaya

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Binod Kumar

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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 Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that total 30 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
confession of co-accused, as per the F.I.R. Except for this, there is
no other substantive evidence to suggest the implication of the



petitioners in this case. It is alleged that total 30 litres of liquor is recovered. 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 Buniyadganj P.S. case No.153/2017, 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, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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