

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1711 of 2018

Arising Out of PS.Case No. -158 Year- 2017 Thana -BHELDI District- SARAN

- =====
1. Ramanand Manjhi S/o Mahadeo Manjhi
 2. Lal Sah S/o Late Yogendra Sah

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 188, 272, 273, 34 of Indian Penal Code
and Sections 30, 30(A) of Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that total 50 litres of
spirit is recovered.

It has been submitted on behalf of the petitioners that
the petitioner no.1 has 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
disclosure made by co-accused, as per 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 50 litres of spirit is recovered from the motorcycle of co-accused. The motorcycle does not belong to the petitioners. 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 petitioner 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 Bheldi P.S. Case No.158/2017, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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