

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7457 of 2018

Arising Out of PS. Case No.-464 Year-2017 Thana- MARHAURA District- Saran

Laljee Manjhi, S/o Late Gajadhar Manjhi, resident of Village- Gaura- P.S.
Marhorah, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. NAND KISHORE PD

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 278, 273, 188, 308/34 of the Indian Penal Code and Sections 30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 100 liters country made liquor is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the basis of secret information. The source and genuineness of the secret information has not been disclosed by the prosecution. Except



for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 100 liters country made liquor is recovered by the side of the bank of the river in an abandoned stage. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner 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 petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Marhowrah P.S. Case No. 464 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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