

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46048 of 2018

Arising Out of PS.Case No. -329 Year- 2018 Thana -BODHGAYA District- GAYA

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1. Raju Manjhi, S/o Late Senu Manjhi,
2. Zila Manjhi, Son of Nanhaka Manjhi @ Jagarnath Manjhi, Both resident
of Village- Masti Pur, P.S.- Bodh Gaya, District- Gaya.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2018 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), 30(and ¾ of Dowry Prohibition
Act) & 37(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 65 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 alleged 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 petitioner in this case. It is alleged that total 65 liters wine is recovered. Out of 65 litres, 15 litres wine is recovered from joint house of petitioner No. 1 and 5 litres wine is recovered from joint house of petitioner No. 2. 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 Special Judge, Excise, Gaya in connection with Bodh Gaya P.S. Case No. 329 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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