

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.588 of 2018

Arising Out of PS.Case No. -533 Year- 2017 Thana -BARACHATTI District- GAYA

- =====
1. Baso Devi
 2. Lakho Devi
 3. Briksha Manjhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kr. Sinha

For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
instituted under Section Sections 30(a) of Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that 20 litres of
Mahua 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 come on the basis of
disclosure made by co-accused Kheman Manjhi before police, 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 20 litres of Mahua liquor is recovered by the side of the road, as per seizure list. 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 Barachatti (Mohanpur) P.S. Case No.533/2017, 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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