

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48165 of 2018**

Arising Out of PS. Case No.-395 Year-2018 Thana- BODHGAYA District- Gaya

1. Sunil Manjhi, son of Kailash Manjhi,  
2. Binod Manjhi, son of Kedar Manjhi, both are resident of village Ratnara  
Ganga Bigha, P.s.- Bodh Gaya, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Smt. Renuka Ratnakar

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      07-08-2018                      Heard learned counsel for the petitioners and learned  
APP for the State.

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

The prosecution case, in short, is that 15 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 names of the petitioners have transpired as the  
alleged recovery is made from the joint houses of the petitioners  
where their other family members also reside. Except for this,



there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 10 liters wine is recovered from the joint house of petitioner no. 1 and 5 liters is recovered from the 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./complaint case.

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. 395 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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