

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76089 of 2018

Arising Out of PS. Case No.-121 Year-2017 Thana- DIGHA District- Patna

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1. Raju Sah @ Raj Kumar Manjhi, son of Pashupati Ram.
 2. Bijendra Manjhi son of Late Munarik Manjhi. Both resident of Mohalla-Digha Railway Musahari, Police Station- Digha, District- Patna.
 3. Dilip Manjhi @ Dilip Mahto son of Late Rameshwar Mahto, resident of Mohalla- Steel Nagar, Police Station- Digha, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No-2

For the Opposite Party/s : Mr.Sri S. Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioners and learned
counsel appearing for the State.

The petitioners are apprehending their arrest in connection with Special Case No.1605 of 2017 arising out of Digha P.S. Case No.121 of 2017 registered for the offence punishable under Sections 147, 148, 149, 323, 325, 307, 353, 225, 337 338 and 120(B) of the Indian Penal Code and Section 30(a) and 37(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case based on self statement of Officer-in-charge of Digha police station is to the effect that on 13.05.2017 at about 6.20 A.M., police personnel conducted raid as there was information that petitioner No.1, Raju Sah, was serving liquor to others. It is alleged that when the raid was



conducted then the petitioner No.1 and others raised alarm, whereupon 100-120 people came there and started assaulting the police personnel including the informant.

Learned counsel for the petitioners submits that the accusation is omnibus and general against the mob and from the accusation, it appears that none of the police personnel has received any injury. Moreover, there is no seizure list of the liquor. It is further submitted that the petitioners have no criminal antecedent except petitioner No.1, who is an accused under Bihar Prohibition and Excise Act, 2016, as statement made in para 3 of the bail petition.

Learned A.P.P. has vehemently opposed the prayer for bail and submits that the all accused persons have obstructed police personnel from discharging their official duty.

Considering the nature of accusation made against the petitioners and the fact that no recovery has been made from the place of occurrence, the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.10000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge,



Excise, Patna in connection with Special Case No.1605 of 2017
arising out of Digha P.S. Case No.121 of 2017.

(Dinesh Kumar Singh, J)

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