

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28258 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- BELAGANJ District- Gaya

1. Bhushan Manjhi @ Shashi Bhushan Manjhi, aged about 34 years, Male, son of Late Dasu Manjhi.
2. Amerika Manjhi @ Amrik Manjhi @ Amirak Manjhi, aged about 62 years, Male, son of Late Mangar Manjhi Mahto @ Mangar Manjhi.
3. Chandradev Manjhi, aged about 29 years, Male, Son of Amerika Manjhin @ Amrik Manjhi.

All resident of Village - Korla Simara, Belaganj, Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vinod Kumar
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Belaganj P.S. Case No. 43 of 2019, registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation has been made that 3-4 liters of liquor has been recovered from the respective houses of the petitioners.

Learned counsel for the petitioners submits that the petitioner nos. 1 and 2 have no criminal antecedent, whereas



petitioner no.3 has a criminal antecedent of same nature.

As the petitioner nos. 1 and 2 have no criminal antecedent, let the above-named petitioner nos. 1 and 2 be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Special Excise Judge, Gaya, in connection with Belaganj P.S. Case no. 43 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

However, at the time of accepting bail bonds, the court below would verify and assure itself regarding the criminal antecedent of the petitioners. If they are having clean antecedent, then their bail bonds would be accepted. If they are found to be involved in any other case before filing of this application i.e. 29.04.2019 then their bail bonds would not be accepted.

As the petitioner no.3 has a criminal antecedent of same nature, his prayer for bail is rejected. However, if the petitioner no.3 surrenders before the Court below within three weeks from today and prays for regular bail, the Court below



will consider the same and pass appropriate order on the same
day without being influenced by the order of this Court.

(Shivaji Pandey, J)

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