

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35711 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- MASHRAK District- Saran

1. Bhikhari Manjhi @ Sandeep Kumar Manjhi, Son of Thakur Manjhi, Resident of Village- Chand Kudariya, P.S.- Mashrakh, District- Saran at Chapra.
2. Om Prakash Ram @ Prakash Ram, Son of Shri Kishun Ram, Resident of Village- Chand Kudariya Chamartoli, P.S.- Mashrakh, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-09-2019 This is an application for grant of anticipatory bail in connection with Mashrakh P. S. Case No. 137 of 2019, disclosing offences under Sections 272 & 273 of IPC and Sections 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case is that police has got an information that petitioners are engaged in liquor trade and on that information, police raided the place and saw that petitioner no.1 was filling of the liquor in the Jerkin and also saw the petitioner no.2 keeping the liquor in the motorcycle. On seeing the police party, they succeeded in fleeing away from the spot, however police recovered huge quantity of liquor from the motorcycle as



well as from field.

Submission of the learned counsel for the petitioners is that they have been falsely implicated in this case only on the basis of suspicion. They have no criminal antecedent.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail of the petitioners.

Having heard both sides, as the petitioners are named in the F.I.R. and there are specific allegation against them, I am not inclined to grant privilege of anticipatory bail to the petitioners. However, the petitioners are directed to surrender before the learned court below and make prayer for regular bail, which shall be considered on its own merit.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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