

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37122 of 2019

Arising Out of PS. Case No.-42 Year-2019 Thana- DANIYAWAN District- Patna

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1. GIRANI DEVI Wife of Late Kedar Manjhi Resident of Village - Daniyawar, Chhoti Mushahari, P.S.- Daniyawar, District- Patna
 2. Praveen Manjhi Son of Jhangu Manjhi Resident of Village - Daniyawar, Chhoti Mushahari, P.S.- Daniyawar, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-06-2019 Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in Daniyawar P.S. Case No. 42 of 2019 (Special Case No. 2805 of 2019), disclosing offence under Section 30(a) (c) of the Bihar Prohibition and Excise Act, 2016.

In view of the Full Bench decision rendered in the case of **Ram Vinay Yadav vs. The State of Bihar**, reported in **2019(2) PLJR 1089**, this application cannot be maintained and is accordingly dismissed.

However, on perusal of the First Information Report, I find that there is no material to suggest that any recovery was made of the illicit liquor on the petitioners' conscious possession



and the only allegation against the petitioner is based on some secret information.

The petitioners are directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered and disposed of by the Court below on the same day.

(Chakradhari Sharan Singh, J)

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