

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44417 of 2019

Arising Out of PS. Case No.-588 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Kishundev Manjhi, male, aged about 50 years, Son of Late Bhola Manjhi
 2. Gajendra Sahni, male, aged about 48 years, Son of Jagdev Sahni
 3. Chhatthu Manjhi, male, aged about 42 years, Son of Late Dipa Manjhi
 4. Rajendra Manjhi, male, aged about 45 years, Son of Amru Manjhi
 5. Ramjanam Manjhi, male, aged about 45 years, Son of Sasabal Manjhi
All resident of Harajpur Musahri Tola, P.S.- Mufassil, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ambuj Kumar Chandra, Adv.
For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 19-07-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their
arrest in connection with Muffasil P.S. Case No. 588 of 2018
registered for offences under sections 272, 273 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition of Excise
Amendment Act, 2016.

As per prosecution case, on receipt of secret
information, the police raided the spot and recovered 13 liters of
country made liquor.



Learned counsel for the petitioners submits that the petitioners have got no criminal antecedent as stated in paragraph no.3 of the present petition.

Looking to the quantity of liquor recovered as also the petitioners have no criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Mufassil P.S. Case No. 588 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

However, at the time of accepting bail bonds, the court below will verify and ensure itself regarding criminal antecedent of the petitioners and if it is found that the petitioners have clean antecedent, their bail bond will be accepted but, if it is found that the petitioners are involved in any other case



before filing of the present case i.e. 18.7.2019, then they would
not be released.

(Shivaji Pandey, J)

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