

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53345 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- MAINATAND District- West Champaran

1. VINOD SAH @ VINOD MANJHI, 50 years, male, son of Bhola Sah Resident of Village - Mainatand, P.S.- Mainatand, District- West Champaran.
2. Chandrajeet Manjhi, 40 years, male, son of Late Ganesh Manjhi, Resident of Village - Mainatand, P.S.- Mainatand, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Mainatand P.S. Case No. 17 of 2019 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioners, as per the first information report, is that police, upon a secret information, intercepted 6 persons, and 4 persons were apprehended by the police, however, two of them succeeded in fleeing away, throwing bags carried by them. It further appears from the seizure list that from the arrested persons, police recovered huge quantity of Nepali liquor and from the bags which were thrown



by two other persons police recovered about 36 liters of illicit Nepali Liquor.

Mr. Abhishek Kumar, learned counsel appearing for the petitioner submits that the petitioners have got no criminal antecedent and have falsely been implicated in this case merely on the basis of the disclosure of the names of the petitioners made by the village Chowkidar. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioners and petitioners were not present at the place of occurrence.

After having heard learned counsel for the parties and taking into consideration the fact that illicit liquor has not been recovered from the possession of the petitioners and further that petitioners have got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, both the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, West



Champan at Bettiah in connection with Mainatand P.S. Case
No. 17 of 2019 subject to the conditions as mentioned under
Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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