

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57251 of 2019

Arising Out of PS. Case No.-56 Year-2019 Thana- SAHJAHANPUR District- Patna

1. Ganesh Paswan, Son of Sajiwan Paswan Resident of Arai Dih, Mushari Tola, P.S-Sahjehanpur, District-Patna.
2. Lalesh Paswan, Son of Shyam Dev Paswan Resident of Arai Dih, Mushari Tola, P.S-Sahjehanpur, District-Patna.
3. Anil Manjhi, Son of Arjun Manjhi Resident of Arai Dih, Mushari Tola, P.S-Sahjehanpur, District-Patna.
4. Bigan Manjhi, Son of Raj Ballam Manjhi Resident of Arai Dih, Mushari Tola, P.S-Sahjehanpur, District-Patna.
5. Sahendra Manjhi, Son of Bideshi Manjhi Resident of Arai Dih, Mushari Tola, P.S-Sahjehanpur, District-Patna.
6. Sardar Manjhi, Son of Baij Nath Manjhi Resident of Arai Dih, Mushari Tola, P.S-Sahjehanpur, District-Patna.
7. Radhna Manjhi, Son of Lalji Manjhi Resident of Arai Dih, Mushari Tola, P.S-Sahjehanpur, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tilak Sao

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-09-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Special Case No.6413 of 2019 arising out of Shahjehanpur P.S.
Case No.56 of 2019, for the offence punishable under Section
30(a)(d) of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioners is that police



intercepted one tempo bearing Registration No.BR-PD-3216 and recovered 120 litres of illicit Mahua liquor. It has further been alleged that the name of the petitioners has been disclosed by the local public standing near the place of occurrence.

Learned counsel appearing for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as their names have been disclosed by the villagers with oblique motive. Learned counsel further submits that tempo from which the illicit liquor has been recovered does not belong to the petitioners as the petitioners have stated in para 11 of this application.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the vehicle belonging to the petitioners, as stated by the petitioner in para 11 of the bail application, as such, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, all 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 bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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