

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84543 of 2019

Arising Out of PS. Case No.-440 Year-2019 Thana- GAURICHAK District- Patna

1. BHURA MANJHI Son of Chhotan Manjhi
 2. Balli Manjhi Son of Chhotan Manjhi
 3. Tutu Manjhi Son of Chhotan Manjhi
- All are Residents of Village - Mustafapur, P.S.- Gaurichak, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudish Kumar, Adv

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 19-12-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a
case registered for the offences punishable under Section 30(a)
Bihar Prohibition and Excise Act, 2018.

Petitioners have got no criminal antecedent.
Allegation is that from the house of the petitioners, 05 liters of
country made liquor was recovered.

Submission is that the seizure list would reveal that
the search and seizure was not made in presence of witness nor
there is any mention that independent witnesses were not ready
to witness the seizure. The constable accompanying the raiding



party have been named as witnesses of seizure.

Considering the aforesaid infirmities, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Gaurichak P.S.Case No. 440 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioners shall fully cooperate with the investigation of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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