

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 7373 of 2020

Arising Out of PS. Case No.-75 Year-2019 Thana- KHIRI MORE District- Patna

1. ROHIT MANJHI @ ROHIT KUMAR Son of Taipun Manjhi Resident of Village - Kaurri musahari, P.S.- Khirrimore, Dist.- Patna.
2. Brind Manjhi Son of Dinesh Manjhi Resident of Village - Kaurri musahari, P.S.- Khirrimore, Dist.- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory bail in connection with Khirimore P.S. Case No. 75 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case as there is no independent witness to substantiate the seizure of liquor which is said to have been recovered from the house of the petitioners.

Learned APP has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners



that the seizure list witnesses are not independent person and the allegation that the Mahua country made wine were recovered from the house of these petitioners is nothing but a mere suspicion, let the petitioners above named in case of their arrest or surrender within a period of four weeks from today in connection with Khirimore P.S. Case No. 75 of 2019 be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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