

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17969 of 2020

Arising Out of PS. Case No.-57 Year-2020 Thana- CHAPRA MUFFASIL District- Saran

1. Triloki Manjhi Son of Late Jaynarayan Manjhi Resident of Village- Badalu Tola, P.S.- Chapra Muffasil, District- Saran at Chapra.
2. Lallan Manjhi Son of Sri Deojanam Manjhi Resident of Village- Badalu Tola, P.S.- Chapra Muffasil, District- Saran at Chapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Krishna Kumar Yadav, Advocate

For the Opposite Party : Mr.Satyavrat Verma, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-06-2020 Heard learned counsel for the parties.

Petitioners apprehend arrest in a case registered for offence punishable under section 272 other ancillary sections of the Indian Penal Code as well as section 30a of the Bihar Prohibition and Excise Act.

Acting on a tip off, police raided Palani of petitioner no.1 and seized 40 liters country made liquor from the said Palani. However, petitioners managed to escape.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case. Nothing have been recovered from their conscious possession. The mandatory provision of law for search and seizure given under



section 100 Cr.P.C. has not been followed.

However, learned Additional Public Prosecutor appearing the State opposes the bail petition. He submits that the recovery has been made from Palani of the petitioner no.1. Petitioners are accused in other cases of similar nature.

In view of the allegation against the petitioners, prayer for bail of the petitioners is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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