

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20627 of 2021

Arising Out of PS. Case No.-305 Year-2020 Thana- ATRI District- Gaya

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1. Nanhka Manjhi Son of sKameshwar Manjhi Resident of Village - Narabat Bhadin, Bhuitoli, P.S.- Atri, Distt.- Gaya.
 2. Ashok Manjhi Son of Kameshwar Manjhi Resident of Village - Narabat Bhadin, Bhuitoli, P.S.- Atri, Distt.- Gaya.
 3. Shiv Kumar Choudhary Son of Birju Chaudhary Resident of Village - Narabat Bhadin, Bhuitoli, P.S.- Atri, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Veer
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Section 30(a)(d) of the Bihar Prohibition & Excise Act.



There is recovery of 5 litres of mahua liquor and 1 litres of mahua liquor from the houses of petitioner Nos. 1 and 3 respectively.

Considering the fact that there is recovery of illicit liquor from the houses of petitioner Nos. 1 and 3, this Court is not inclined to grant anticipatory bail to petitioner Nos. 1 and 3.

The petition for grant of anticipatory bail to petitioner Nos. 1 and 3 are rejected.

It is submitted by learned counsel for the petitioners that petitioner No. 2 was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner No. 2. A statement has been made in para 3 of the petition that petitioner No. 2 has no criminal antecedent.

In the facts and circumstances of the case, let the petitioner No. 2, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-
(Ten Thousands) with two sureties of the like amount
each to the satisfaction of learned Special Judge, Excise,
Gaya in connection with Atri P.S. Case No. 305 of 2020,
subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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