

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40450 of 2020

Arising Out of PS. Case No.-175 Year-2020 Thana- KOTWALI District- Munger

1. GAYATRI DEVI W/o Sikandar Manjhi Resident of Mushahari Tola (Fort Area), P.S.- Kotwali, District- Munger.
2. Sikandar Manjhi S/o Late Bahadur Manjhi Resident of Mushahari Tola (Fort Area), P.S.- Kotwali, District- Munger.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners : Mr. Surya Narayan Sah, Advocate.
For the State : Mr. Ramchandra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 24/26.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State, through Video Conferencing.

The petitioners apprehend their arrest in connection with Kotwali Police Station Case No.175 of 2020 registered under Sections 30(a) and 32 of the Bihar Prohibition and Excise Amendment Act, 2018, pending in the court of the Chief Judicial Magistrate, Munger.

The accusation is of recovery of 43 bottles, each



containing 300 ml. champion country spirit, kept in a sack, a plastic gallon containing 15 liters country made liquor, 6 bottles, each containing 2 liters country made liquor and 3 bottles, each containing one liter country made liquor, from the hut of the petitioners.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are husband and wife and they have falsely been implicated in this case. Further submission is that the hut from which the alleged recovery is said to be made is not belonging to the petitioners.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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