

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30440 of 2021

Arising Out of PS. Case No.-274 Year-2020 Thana- BELAGANJ District- Gaya

1. CHAMELWA DEVI @ CHAMELA DEVI AND ANOTHER Wife of Birendra Manjhi Resident of Village - Shekhpura Khurd, Police Station - Belaganj, District - Gaya.
2. Rambachan Manjhi Son of Suresh Manjhi Resident of Village - Shekhpura Khurd, Police Station - Belaganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-02-2022 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 defect(s) as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in connection with Belaganj P.S. Case No. 274 of 2020 pending in the Court of learned Special Judge, Excise Act, Gaya in a case registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of about 3 liter of country



made wine from petitioner no.1 and 02 liter of country made wine from petitioner no.2.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that the petitioners have got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In view of the above facts, the said country made wine was recovered from the possession of both the petitioners, as such, I am not inclined to grant anticipatory bail to the petitioners. Prayer for anticipatory bail is rejected.

However, the petitioners are directed to surrender before the court below and pray for regular bail and the court below shall consider the prayer for bail of the petitioners, as there is very small quantity of the liquor.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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