

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30405 of 2021

Arising Out of PS. Case No.-611 Year-2020 Thana- SAKRA District- Muzaffarpur

1. BHOLA MANJHI S/o Ram Sharan Manjhi Resident of Village- Siho, P.S.- Sakra, District- Muzaffarpur.
2. Sone Lal Manjhi S/o Rajendra Manjhi Resident of Village- Siho, P.S.- Sakra, District- Muzaffarpur.
3. Soli Manjhi S/o Ram Chandra Manjhi Resident of Village- Siho, P.S.- Sakra, District- Muzaffarpur.
4. Bhajan Manjhi S/o Maheshi Manjhi Resident of Village- Siho, P.S.- Sakra, District- Muzaffarpur.
5. Jagdish Manjhi Son of Maheshwar Manjhi Resident of Village- Siho, P.S.- Sakra, District- Muzaffarpur.
6. Mintu Manjhi Son of Maheshwar Manjhi Resident of Village- Siho, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-02-2022 Learned counsel for the petitioners seeks permission to withdraw this application against petitioner nos. 1 and 2.

Permission is granted.

This application is dismissed as withdrawn against petitioner nos. 1 and 2.

This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioners and learned



APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

So far as petitioner nos. 3 to 6 are concern, the instant application for anticipatory bail has been filed by the petitioners for apprehending their arrest in connection with Sakra P.S. Case no. 611 of 2020 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case relates to recovery of soaked mahua from the house of the petitioner nos. 3 to 6.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. They have got no criminal antecedent. Petitioners have soaked the alleged mahua for the purpose of feeding their pet pigs. They are not involved in the business of contraband liquor. Neither prepared liquor nor utensils for preparing liquor was recovered from the conscious possession of the petitioners.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in



the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner nos. 3 to 6 on bail. The petitioner no. 3 to 6 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Sakra P.S. Case no. 611 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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