

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16832 of 2022

Arising Out of PS. Case No.-265 Year-2021 Thana- MALSALAMI District- Patna

MANJU DEVI Wife of Lallan Manjhi Resident of village - Ganj Musahathi,
P.S.- Malsalami, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 21854 of 2022

Arising Out of PS. Case No.-265 Year-2021 Thana- MALSALAMI District- Patna

BIKASH KUMAR S/o Balli Rai Resident of Mohalla- Pathar Ghat, P.s.-
Malsalami, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 16832 of 2022)

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Binod Kumar

(In CRIMINAL MISCELLANEOUS No. 21854 of 2022)

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioners apprehend their arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

360 litres of Mahua wine has been recovered from the



place of occurrence. Allegation against the petitioners is that they fled away from the place of occurrence after seeing the police.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioners and petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is submitted that similarly situated another co-accused has already been enlarged on anticipatory bail by this Court vide order dated 01.07.2022, passed in Cr. Misc. No.70893 of 2021.

Petitioners are ready to deposit a sum of Rs.30,000/- (rupees thirty thousand) **each** in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioners, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a



period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna City (Patna) in connection with Malsalami P.S. Case No.265 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the petitioners, preferably, father, mother, brother, sister and/or their wife.

(ii) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J.)

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