

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20408 of 2022

Arising Out of PS. Case No.-344 Year-2020 Thana- BARAULI District- Gopalganj

1. VIKASH MANJHI S/o Shivnath Manjhi R/o Village- Kahala,P.S.- Barauli, District- Gopalganj.
2. Bitu Manjhi S/o Bhulan Manjhi R/o Village- Kahala,P.S.- Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23531 of 2022

Arising Out of PS. Case No.-344 Year-2020 Thana- BARAULI District- Gopalganj

Prahlad Manjhi Son Of Indrasan Manjhi R/O Village- Kahala, P.S.- Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 20408 of 2022)

For the Petitioner/s : Mr.Vikash Kumar Shukla

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

(In CRIMINAL MISCELLANEOUS No. 23531 of 2022)

For the Petitioner/s : Mr.Vikash Kumar Shukla

For the Opposite Party/s : Mr.Umeshanand Pandit

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.



15 litres of country made liquor was recovered from the place of occurrence and 500 litres of semi manufactured wine has been destroyed on the spot. 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 co-accused person has already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 11.04.2022, passed in Cr. Misc. No.11457 of 2022.

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 facts 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 Additional District & Sessions Judge, 2nd-cum-Special Judge, Excise, Gopalganj in connection with Barauli P.S. Case No.344 of 2020, 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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