

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41624 of 2021

Arising Out of PS. Case No.-249 Year-2020 Thana- SHAHKUND District- Bhagalpur

1. Gore Manjhi @ Gorelal Manjhi S/O Ramjatan Manjhi R/O Village-Jagariya, P.S-Shahkund, District-Bhagalpur.
2. Mannu Manjhi S/O Babulal Manjhi R/O Village-Jagariya, P.S-Shahkund, District-Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-01-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through virtual court proceeding.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

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

Altogether 10 liters of country made liquor is said to have been recovered from the house of the petitioners. It is alleged that petitioners and other accused persons fled away



from the spot.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case due to coming Panchayat Election at the instance of local Mukhiya to learn a lesson. He submits that there is no recovery from the conscious possession of the petitioners. He submits that seizure list has not been prepared in accordance with the provision of Section 100 of the Code of Criminal Procedure. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

Considering the facts and circumstances of the case as also the nature of recovery made from the house of the petitioners, this Court is not inclined to enlarge the petitioners on anticipatory bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Shahkund P.S. Case No. 249 of 2020.

(Anjani Kumar Sharan, J)

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