

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37356 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- HALSI District- Lakhisarai

1. MANIK CHAND MANDAL Son of Late Bhuna Mandal Resident of Village - Manjhwe, P.S.- Jamui, District - Jamui.
2. Dinkar Mahto @ Dinkar Kumar Son of Mahadev Mahto Resident of Village - Sethna, P.S.- Halsi, District - Lakhisarai.
3. Dhanraj Yadav @ Dhananjay Yadav Son of Upendra Yadav Resident of Village - Sethna, P.S.- Halsi, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR

ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Halsi P.S. Case no. 117 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 18 litres of IMFL from a motorcycle, which belongs to one Nazma Khatoon and petitioners managed to escape.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery or with the vehicle in question. The names of the petitioners have been disclosed in



this case by a local choukidar before the police, which has got no evidentiary value in the eye of law. Neither the petitioners were arrested nor any incriminating article has been recovered from their possession.

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 petitioners on bail. The petitioners 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 Halsi P.S. Case no. 117 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge IV-cum-Exclusive Special Judge (Excise Act) No. 1, Lakhisarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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