

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45468 of 2022

Arising Out of PS. Case No.-548 Year-2019 Thana- SAKRA District- Muzaffarpur

1. Mahendra Manjhi S/o Late Ramchandra Manjhi Resident of Village- Mandai Khurd, P.S.- Sakra, District- Muzaffarpur.
2. Sanjay Manjhi @ Sanjad Manjhi S/o Late Bhutta Manjhi Resident of Village- Mandai Khurd, P.S.- Sakra, District- Muzaffarpur.
3. Shankar Manjhi S/o Late Dhanraj Manjhi Resident of Village- Mandai Khurd, P.S.- Sakra, District- Muzaffarpur.
4. Mohai Paswan @ Mulhai Paswan S/o Late Janaki Paswan Resident of Village- Mandai Khurd, P.S.- Sakra, District- Muzaffarpur.
5. Guddu Manjhi @ Buddu Manjhi S/o- Late Rajendra Manjhi Resident of Village- Mandai Khurd, P.S.- Sakra, District- Muzaffarpur.
6. Vijay Manjhi S/o Late Besar Manjhi Resident of Village- Mandai Khurd, P.S.- Sakra, District- Muzaffarpur.
7. Darogi Manjhi S/o Late Devan Manjhi Resident of Village- Mandai Khurd, P.S.- Sakra, District- Muzaffarpur.
8. Surendra Manjhi S/o Late Ramchandra Manjhi Resident of Village- Mandai Khurd, P.S.- Sakra, District- Muzaffarpur.
9. Chandeshwar Manjhi Sk/o Late Ramchandra Manjhi Resident of Village- Mandai Khurd, P.S.- Sakra, District- Muzaffarpur.
10. Kapoor Chand Manjhi S/o Ganeshi Manjhi Resident of Village- Mandai Khurd, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar
For the Opposite Party/s : Mr. Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-11-2022 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 Sakra P.S. Case no. 548 of 2019 instituted for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a)(d) of the Bihar Prohibition and Excise Act.

As per allegation in FIR, on secret information when the informant and other police officials reached the Ashok Manjhi's house, on search they recovered 1 liter country made liquor and from other accused persons only apparatus of wine preparing have been recovered.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery of illicit wine or with the place of occurrence. It is further submitted that neither the petitioners were arrested on spot nor any incriminating article has been recovered from their conscious possession.

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

Having heard learned counsel for the parties and considering the fact that meagre quantity of liquor has been recovered, 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 Sakra P.S. Case no. 548 of 2019, 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 Exclusive Special Excise Court No.1, 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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