

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34739 of 2023

Arising Out of PS. Case No.-541 Year-2021 Thana- SUGAULI District- East Champaran

1. Lalan Manjhi Son of Late Raghunath Manjhi Resident of village - Shreepur Tola Rampur, ward no. 4, P.S. - Sugauli, Distt. - East Champaran, Motihari
2. Pammi Manjhi Wife of Lalan Manjhi Resident of village - Shreepur Tola Rampur, ward no. 4, P.S. - Sugauli, Distt. - East Champaran, Motihari

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a)(b)(c) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent, petitioner no.2 is a woman and allegation is of recovery of 05 litres of liquor from the sugarcane store behind the house of the petitioner along with 50 litres fermented *mahua* which was destroyed at the spot.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing



was recovered from their conscious possession and they came to be implicated by the local *Chowkidar* with whom they are on an inimical term, it is further submitted that the place from where the alleged recovery has been made also does not belong to the petitioners.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the 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 released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sugauli P.S. Case No. 541 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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