

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44434 of 2023

In
CRIMINAL MISCELLANEOUS No.29301 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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1. Baijanti Devi, Wife Of Late Babloo Manjhi Resident Of Village - Rukanpura Musahari, P.S.- Rupaspur, District - Patna.
 2. Mukesh Manjhi, Son Of Late Mannu Manjhi Resident Of Village - Rukanpura Musahari, P.S.- Rupaspur, District - Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Choubey Jawahar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 30(a), 32(3), 41(1)(2) of the Excise Act.

3. The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and petitioner
no.1 is a woman and the allegation is of recovery of 38 from the
house of five named accused persons, out of which, 05 litres of
liquor is alleged to have been recovered from the house of
petitioner no.1 and 05 litres of liquor from the room of the
petitioner no.2.

4. The learned counsel for the petitioners submits that



petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is also submitted that the house is a joint family property, as such, it cannot be alleged with certainty that it were the petitioners, who had kept the liquor in the house or the liquor kept in the house was within the knowledge of the petitioners.

5. Learned A.P.P. opposes the bail application.

6. 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, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Danapur, Patna in connection with Danapur Excise P. S. Case No.71 of 2023, Excise Special Case No.819 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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