

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57299 of 2023

Arising Out of PS. Case No.-181 Year-2023 Thana- GARKHA District- Saran

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1. LAVKUSH MANJHI @ LAVKUSH KUMAR S/O KAMESHWAR MANJHI R/O VILLAGE- KASINA, PS. GARKHA, DIST. SARAN
 2. SANTOSH RAY S/O HARINDRA RAY R/O VILLAGE- KASINA, PS. GARKHA, DIST. SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Adv.

For the Opposite Party/s : Mr. Kanhaiya Kishore (App.100)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 30-08-2023 Heard Mr. Hemant Kumar, learned counsel
appearing on behalf of the petitioners and Mr. Kanhaiya
Kishore, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Garkha P.S. Case No. 181 of 2023, dated 08.04.2023,
registered under Sections 30 (a) of Bihar Prohibition and Excise
Act.

3. As per allegation made in the F.I.R. altogether 200
litres country made liquor was recovered from the field owned
by one Birendra Rai.



4. Learned counsel appearing on behalf of the petitioners submits that due to enmity with local Chowkidar, the petitioners have been named in the F.I.R. The petitioners are innocent. The recovery is from the field of some other person of the same village. The petitioners have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made in the F.I.R. as well as the fact that recovery of 200 litres country made liquor was made from the field owned by some other person, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Session Judge 2nd- cum-1st Exclusive Special Excise Judge, Chapra, Saran in connection with Garkha P.S. Case No. 181 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in



paragraph no. 3 of the bail application, this order will
automatically loose its force.

(Purnendu Singh, J)

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