

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1304 of 2023

Arising Out of PS. Case No.-55 Year-2022 Thana- WAJIRGANJ District- Gaya

1. RUBI DEVI Wife of Ramdahin Manjhi Resident of Village- Budhgheriga, P.S.- Wazirganj, District- Gaya
2. RAMDAHIN MANJHI Son of Late Gariban Manjhi Resident of Village- Budhgheriga, P.S.- Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 30 (a), 30(b), 30 (c) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 35 liter of Mahua liquor has been recovered from the house of petitioner No.2.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioners and they are no way concerned with the alleged recovery. Petitioners have got clean



antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the fact that huge quantity of liquor has been recovered from the house of petitioner No.2, I am not inclined to enlarge him on anticipatory bail. Accordingly, the same is rejected.

Considering the fact that she has been made accused only because she happens to be wife of petitioner No.2, let the petitioner No. 1, above named, in the event of her arrest/surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court-1, Gaya in connection with Wazirganj PS case No. 55/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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