

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20416 of 2024

Arising Out of PS. Case No.-53 Year-2023 Thana- BAHADURPUR District- Patna

1. Reeta Devi Wife of Santosh Manjhi
 2. Kabir Kumar @ Kabir Manjhi @ Raj Kiran Son of Raj Kiran Paswan @ Raju
- Both are Resident of Mohalla- Bahadurpur Mushari, P.S.- Bahadurpur,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 3 10-04-2024 1. Heard learned counsel for the petitioner as well as learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 30(a), 32(2)(3), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act and under Sections 341, 323, 353, 504, 427, 337, 338 of the IPC
3. The learned counsel for the petitioners submit that petitioners have antecedent of two cases and petitioner no.1 is a women and allegation is of recovery of 20 liters of liquor from



the hut of Kundan Kumar.

4. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from the conscious possession and even alleged recovery is from a place which does not belong to the petitioners and they came to be implicated by the local people, but then the name of the person who disclosed the name of the petitioners is not disclosed in the FIR, which cast an aspersion on the case of the prosecution.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Patna City in connection with Bahadupur P.S. Case No.53 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is further made clear that the learned trial court



shall also verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than two cases, then also the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Prakash Narayan

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