

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71430 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- MASHRAK District- Saran

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1. Sonu Kumar @ Sonu Manjhi,
 2. Manoj Kumar @ Manoj Manjhi,
 3. Nitish Kumar @ Nitish Manjhi,
- All are Son of Raj Kumar Manjhi, R/o village-Shekhpora, P.S. - Mashrakh,
Distt.-Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR and apprehending their arrest in connection with Mashrakh P.S. Case No.154 of 2023 registered under Sections 147, 149, 148, 341, 323, 324, 183, 188, 189, 353, 333 of the Indian Penal Code and Section 45 of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioners is to involve in illegal trading of illicit liquor and when raid was conducted by police personnel, offered resistance to deter them to discharge their official function along with other co-accused persons.

4. It is submitted by learned counsel that illicit liquor specifically appearing to be recovered from the



possession of Raj Kumar Manjhi, Ashok Prasad and Raushan Kumar. It is submitted that being family members/neighbour/co-villager, the maximum allegation appears against the petitioners is to be part of a mob only. It is submitted that there is no overt act available against the petitioners. While concluding argument, it is submitted that the petitioners are men of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission, as the maximum allegation appears against the petitioners is to be a part of mob only, accordingly, all the above-named petitioners are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-2, Saran in connection with Mashrakh P.S. Case No.154 of 2023, subject to the conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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