

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76012 of 2024

Arising Out of PS. Case No.-667 Year-2024 Thana- WAJIRGANJ District- Gaya

1. Kanhai Manjhi Son of Madan Manjhi Resident of village - Kharhari, p.s -Muffasil, District -Gaya
2. Gautam Kumar Son of Late Anandi Manjhi village- Singhaul, Ps- Nimchak Bathani, Dist- Gaya
3. Deoraj Kumar Son of Mithu Manjhi village- chhoti Kalpa, Ps- Jehanabad, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary, Advocate
For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Wazirganj P.S. case No. 667 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 150 liters liquor was recovered from the tempo and the petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered



from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is further submitted that the auto in question does not belong to the petitioners. The petitioners are in custody since 10.09.2024 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Wazirganj P.S. case No. 667 of 2024.

(Rudra Prakash Mishra, J)

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