

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11705 of 2016

Arising Out of PS.Case No. -173 Year- 2015 Thana -RIVILGANJ District- SARAN

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1. SHYAM BABU MAHTO, Son of Late Sudarshan Mahto,
2. BINDU MAHTO, son of Brahmdeo Mahto.
3. GAUTAM MAHTO, son of Late Sadhu Mahto.
4. SUDAMA MAHTO, son of Late Laxuman Mahto, All are Resident of
Village- Newaji Tola, Bind Toli, Police Station- Rivilganj, District- Saran
(Chapra).

.... Petitioner/s

Versus

THE STATE OF BIHAR.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Rai

For the Opposite Party/s : Mr. Ram Chandra Sahani(APP)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 17-03-2016

Heard.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 272, 273, 308 and 328 of the Indian Penal Code as also under Section 47(a) of the Bihar Excise Act.

Taking into consideration the fact that all the four petitioners are specifically named in the F.I.R vide Annexure-1 as accused and further taking into consideration the fact that they were manufacturing the country liquor and huge quantity of country liquor to the extent of 970 liters were recovered and also taking into consideration the fact that the petitioner no. 1 and 3 are accused in similar nature of criminal cases from before, this Court is not inclined to accede to the prayer made on behalf of the petitioners for grant of anticipatory bail. Accordingly, their prayer for anticipatory bail in connection with Rivilganj P.S.Case No. 173 of 2015 pending in the Court of learned Additional Judicial Magistrate, 8th, Saran at Chapra, is hereby rejected.

However, if the petitioners surrender in the court below within a period of one month from today and apply for regular bail, then the same shall be considered and decided on its own merit without being prejudiced by the present order.

(Birendra Prasad Verma, J)

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