

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46781 of 2016

Arising Out of PS.Case No. -346 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Rampati Devi wife of Late Munna Mahto
2. Ashok Mahto son of Late Munna Mahto
3. Bagar Dhangar @ Bagar son of Late Sanihar Dhangar
4. Ramautar Dhangar son of Saryug Dhangar All are residents of Village-
Hardiya Chowk, Dhangar Toli, Police Station- Shikarpur, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 07-12-2016 Heard both sides.

The petitioners apprehend their arrest in Shikarpur
P.S. Case No. 346/2016, registered for the offences punishable
under Sections 47 (A), 51 and 53(C) of the Bihar Excise
(Amendment) Act.

From the house of Petitioner No. 1 Rampati Devi,
Petitioner No. 3 Bagar Dhangar @ Bagar and Petitioner No. 4
Ramautar Dhangar small quantity of country made liquor was
recovered. Petitioner No. 2 is the son of Rampati Devi (Petitioner
No.1) and that is why he has been named in the FIR but nothing
has been recovered from his possession.



Considering the facts aforesaid and the fact that country made liquor has been recovered from the possession of Petitioner Nos. 1, 3 and 4, I am not inclined to enlarge Petitioner No. 1 Rampati Devi, Petitioner No. 3 Bagar Dhangar @ Bagar and Petitioner No. 4 Ramautar Dhangar above named on anticipatory bail. Accordingly, the same is rejected.

So far as the case of Petitioner No. 2 Ashok Mahto is concerned, he is son of Petitioner No. 1, from whose possession country made liquor was recovered and it appears that Petitioner No. 2 has been made accused only because he is son of Petitioner No. 1 Rampati Devi.

Considering the facts aforesaid, Petitioner No. 2 above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 346/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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