

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43120 of 2016**

Arising Out of PS.Case No. -56 Year- 2016 Thana -PAHARPUR District-  
EASTCHAMPARAN(MOTIHARI)

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1. Prabhu Mahto S/o Magani Mahto  
2. Munnilal Mahto S/o Ram Lakhan Mahto  
3. Harendra Mahto S/o Ambika Mahto  
4. Basant Mahto S/o Veera Mahto  
5. Vishwanath Mahto S/o Ambika Mahto  
6. Firoz Mahto S/o Late Gulab Mahto  
All are resident of village Sareya Birti, Dhangar Toil, P.S. Paharpur,  
District - East Champaran

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar Pandey  
For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      20-10-2016      Heard Sri Pramod Kumar Pandey, learned counsel for  
  
the petitioners and Sri Satya Nand Shukla, learned Additional  
  
Public Prosecutor.

Six petitioners who are in custody since 15.7.2016 in  
Paharpur P.S. Case No. 56 of 2016 , G.R. No. 1492 of 2016  
registered for the offence under Section 272/ 273 of the Indian  
Penal Code and Section 47a of the Excise Act, have prayed for  
grant of bail.

At the very outset it was submitted by Sri Pandey,  
learned counsel for the petitioners, that under the old Act

petitioners were made accused and for the first offence maximum period of punishment was three months. He further submits that on false accusation showing recovery of country made liquor from the houses of the petitioners , petitioners have been made accused whereas they are having clean antecedent and this fact has been stated in paragraph no. 3 of the petition.

Learned Additional Public Prosecutor has opposed the prayer for bail.

However considering the nature of accusation, period of custody and clean antecedent of the petitioners let the aforesaid six petitioners namely Prabhu Mahto, Munnilal Mahto, Harendra Mahto, Basant Mahto, Vishwanath Mahto and Firoz Mahto be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand ) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari / concerned court in connection with Paharpur P.S. Case No. 56 of 2016.

**(Rakesh Kumar, J)**

Praful/-

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