

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63044 of 2018

Arising Out of PS. Case No.-279 Year-2018 Thana- RIVILGANJ District- Saran

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1. Ram Babu Mahto Son of Late Sadhu Mahto.
 2. Awadh Mahto Son of Late Chela Mahto Both are Resident of Village- Newajitola Dharamsala, Adda No. 2, P.S. Revilganj District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh
For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 29-11-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 272, 273, 308 of the Indian Penal Code and Sections 30(a), 38 of the Bihar Prohibition and Excise Act, 2016.

Since, **petitioner no. 1 Ram Babu Mahto** is accused in one more case under the Excise Act, I am not inclined to enlarge him on anticipatory bail. Hence, prayer of the petitioner no. 1 for anticipatory bail is refused.

The recovery was from the field side and name of the petitioner no. 2 Awadh Mahto surfaced in the confessional statement of co-accused Baliram Mahto. Petitioner no. 2 has stated on oath that he has got no criminal antecedent.



Hence, let the petitioner no. 2 **Awadh Mahto**, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Revilganj Police Station Case No. 279 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner no. 2 shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner no. 2.

With the aforesaid observation, this application is disposed of.

(Birendra Kumar, J)

Kundan/Rajan

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