

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61807 of 2017

Arising Out of PS.Case No. -312 Year- 2016 Thana -RAJAULI District- NAWADA

=====

1. Umesh Kumar Mahto,
2. Avinash Kumar, Both 1 to 2 sons of Late Nageshwar Kumar Mahto,
3. Mukesh Kumar @ Mukesh Kr. Sinha, son of Arvind Kr. Sinha, all
resident of Mohalla- Badi Patnadiavi Colony, P.S. Alamganj, District-
Patna.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-01-2018 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Rajauli PS case no. 312 of 2016 registered for
the offences punishable under Sections 467, 468 and other
sections of Indian Penal Code.

The allegation against the petitioner is that the
informant came to know from the newspapers that a huge quantity
of wine has been recovered from one Tata Indigo vehicle on
which, a name place of Pradesh Mahasachiv Janta Dal (U) was
affixed and three persons including the petitioners herein were
arrested from the said vehicle. It is further alleged that the



informant gave information to the senior officials of the said political organization at Patna office and after verification, it transpired that Rajauli PS case no. 311 of 2016 dated 06.12.2016 has been lodged against the said vehicle for the offence under Section 30(a) of Bihar Prohibition & Excise Act, 2016 and it also transpired that neither the petitioners herein who are said to have been sitting in the said vehicle nor the owner of the said vehicle i.e. Md. Chand Ali are the office bearer of the said political party. It is further alleged that the present FIR has been lodged against the petitioners for misusing and tarnishing the image of the said political party.

The learned counsel for the petitioners submits that the petitioners are in no way involved in the present case, they have already been granted bail in the aforesaid Rajauli PS case no. 311 of 2016 and they are not the owner of the said vehicle, hence there is no question of them using the name plate of the said political party as mentioned hereinabove. It is further submitted that barring the said case i.e. Rajauli PS case no. 311 of 2016, the petitioners have a clean antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date



of receipt/ production of a copy of this order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Sessions Judge, Nawada in connection with Rajauli PS case no. 312 2016 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

rinkee/-

U		T	
---	--	---	--

