

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52556 of 2018

Arising Out of PS. Case No.-134 Year-2018 Thana- AMNAUR District- Saran

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1. Babu Saheb Mahto S/o Ranjeet Mahto
 2. Mantu Sah S/o Godhan Sah
 3. Pramod Mahto S/o Jaylal Mahto All Resident of Village- Kishunpur, P.S. Bheldi, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh
For the Opposite Party/s : Mr. Smt. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

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

The prosecution case, in short, is that 200 liters spirit is recovered.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The names of the petitioners have come on the basis of secret information as per F.I.R. The source and genuineness of the secret information has not been disclosed by



the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 200 liters spirit is recovered from the field belonging to the Harendra Singh. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-6th-cum- Special Judge, Excise, Saran at Chapra in connection with Amnour P.S. Case No. 134/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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