

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23536 of 2018

Arising Out of PS. Case No.-231 Year-2018 Thana- SASARAM MUFFSIL District- Rohtas

1. Anil Mahto
 2. Ritesh Mahto, Both are Sons of Bahadur Mahto
 3. Pramod Mahto, son of Ramiqbal Mahto
 4. Jitendra Mahto, son of Sipahi Mahto
 5. Sanjay Mahto , son of Ram Pravesh Mahto
 6. Sashi Mahto, son of Mudrika Mahto,
- All are resident of village - Dahiyar, P.S.- Sasaram (M), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Ashok Kumar Pandey

For the Opposite Party/s : Sri Dilip Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-04-2018 Heard Sri Ashok Kumar Pandey , learned counsel for the petitioners and Sri Dilip Kumar, learned Additional Public Prosecutor.

Six petitioners, apprehending their arrest in connection with Sasaram (M) P.S. Case No. 231 of 2018 , registered for the offence under Section 414 of the Indian Penal Code , 1860 and Section 30(a), 34, 38 of the Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail in the event of their arrest or surrender.

At the very outset, learned counsel for the petitioners



has drawn my attention to the statement made in paragraph no. 3 of the petition to show that all the petitioners are having clean antecedent. Besides this, it has been argued that it is a peculiar case that Police had got secret information in which name of about ten persons was disclosed on an allegation that all the ten persons were indulged in selling country made *mahua* liquor on road side. Thereafter, Police arrived there, however, Police could apprehend only one person namely, Nandu Pasi and from the place about 80 liters of *mahua* liquor was seized. Learned counsel for the petitioners further submits that the informant, who is a Police Officer has further stated that arrested accused Nandu Pasi also disclosed the name of accused persons who fled away which includes the name of petitioners.

In view of the facts and circumstances, nature of accusation and clean antecedent of the petitioners, in the event of their arrest or surrender within a period of six weeks from today, let aforesaid six petitioners: Anil Mahto, Ritesh Mahto, Pramod Mahto, Jitendra Mahto, Sanjay Mahto and Sashi Mahto be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II – cum- Special Judge (Excise), Rohtas at Sasaram /



concerned court in connection with Sasaram (M) P.S. Case
No. 231 of 2018 subject to the conditions as contemplated
under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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