

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4540 of 2019

Arising Out of PS. Case No.-475 Year-2018 Thana- Ghorasahan (Jharaukher) District- East
Champaran

- =====
1. Umesh Dhanker @ Umesh Dhankar, aged about 25 years, Gender-Male, son of Satyanarayan Dhankar @ Satya Narayan Dhanwar.
 2. Ramadhar Dhankar @ Ramadhar Dhanker aged about 28 years, Gender-Male son of Ramchandra Dhanker.
 3. Chandrasekhar Dhanker @ Chandrasekhar Dhankar @ Chandeshwar Dhanker aged about 28 yearas, Gender-Male, son of Seth Dhanker @ Seth Dhankar. Motihari.
 4. Ajay Dhanker @ Ajay Dhankar @ Kagwa, aged about 25 years, Gender-Male, son of Bilash Dhanker @ Bilash Dhankar.
 5. Laxman Dhanker @ Laxman Dhankar @ Laxuman Dhanker, Aged about 27 years, Gender- Male, son of Hiyard Dhanker @ Hiyard Dhankar.
- All are resident of Village -Bishunpur, P.S-Ghora Shahann(Jharaukher), Distt.-East Champaran at Motihari.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioners.

Learned APP entrusted to the brief on behalf of the

State is not present neither the brief is available with the learned

In-Charge A.P.P of the Court.

Petitioners are seeking anticipatory bail in connection

with Ghorasahan (Jharaukher) P.S. Case No.475 of 2018

registered for the offences punishable under Section 30 (a) of

the Bihar Excise Amendment Act, 2016.

Learned counsel for the petitioners submits that it is



out and out case of false implication as it would appear from a bare perusal of the seizure-list that the illicit liquor has been recovered from the 'Baswari' of one Deonath Mahto who is a co-villager and is on inimical term with the petitioners. It is submitted that in fact on the spot two persons namely Rudal Dhanker and Sonu Dhanker were also arrested. It is, thus, submitted that in case neither there is any recovery from the possession of the petitioners in any form nor there is any reason why the petitioners may be implicated in a case under the Prohibition Case.

In the given facts and circumstances of the case, where it appears from the seizure list that the illicit liquor has been recovered from the 'Baswari' of one Deonath Matho and it is the specific submission of learned counsel for the petitioners that there is no recovery from their house or from their possession in any form as also that they have no criminal antecedent, let in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.15,000/-(rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Motihari in connection with Ghorasahan



(Jharaukher) P.S. Case No.475 of 2018, subject to the condition that petitioners shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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