

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7919 of 2019

Arising Out of PS. Case No.-62 Year-2018 Thana- JURAWANPUR District- Vaishali

1. Dinesh Mahto Son of Rupan Mahto Resident of Village - Raghapur West, P.S.- Raghapur, District - Vaishali
2. Vijay Mahto @ Vijan Mahto Son of Dev Prasad Mahto Resident of Village - Raghapur West, P.S.- Raghapur, District - Vaishali
3. Pappu Mahto Son of Rupan Mahto Resident of Village - Raghapur West, P.S.- Raghapur, District - Vaishali

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Jurawanpur P.S. Case No. 62 of 2018, disclosing offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners has submitted that they have been implicated only on the basis of disclosure made by local people to the police present at the place of occurrence from where nearly 1000 liters of partly prepared country made liquor was detected.

Learned counsel for the petitioners has also submitted that even the identification of the persons, who disclosed the



names of these petitioners is vague and not disclosed. As per the disclosure made by the people, the petitioners and other named co-accused persons were indulging in preparation of illicit liquor.

In my opinion, case under Section 30(a) of the Act is made out and, therefore, this anticipatory bail application cannot be maintained. However, since the petitioners' names have cropped up only on the basis of the so-called disclosures made by the local people, whose identity does not even find place in the First Information Report, it is directed that if the petitioners surrender before the Court below within four weeks from today and seek regular bail, if so advised, their application shall be considered, on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court, on the same day.

(Chakradhari Sharan Singh, J)

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