

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12276 of 2019

Arising Out of PS. Case No.-185 Year-2018 Thana- KOTWA District- East Champaran

1. Ashok Ram aged about 19 years Male, Son of Mohan Ram
2. Budhan Mahto aged about 20 years (Male), Son of Chandrika Mahato @ Jhingur Mahato
Both are resident of Village- Bhopat Pur Purani Dih, P.S.- Kotwa (Bhopat Pur O.P.), District - East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioners. No one appears on behalf of the State.

The petitioners are seeking anticipatory bail in connection with Kotwa P.S. Case No. 185 of 2018 registered under Sections 272, 273, 34 of the Indian Penal Code and 30(a), 33 of the Excise Act, 2016.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, they have no criminal antecedent. It is submitted that according to the First Information Report the alleged illicit liquor has been recovered from the garden of one Bhikhari Bhagat, therefore, there is no reason to connect these petitioners with the said recovery. According to the petitioners the case of high



handedness of the police party because the petitioners did not fulfill the illegal gratification of the informant.

Having heard learned counsel for the petitioners and on perusal of the seizure list, this court is willing to extend the benefit of anticipatory bail the petitioners, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge of Excise, Motihari, East Champaran, in connection with Kotwa P.S. Case No. 185 of 2018, subject to condition that petitioner shall join 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 Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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