

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52491 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- PAHARPUR District- East Champaran

1. RAJESH MAHTO Son of Hardeo Mahto Resident of Village - Saraiya, Biti Dhangad Toli, P.S.- Paharpur, District - East Champaran.
2. Munnilal Mahto Son of Ram Lakhan Mahto Resident of Village - Saraiya, Biti Dhangad Toli, P.S.- Paharpur, District - East Champaran.
3. Binod Mahto Son of Meghu Mahto Resident of Village - Saraiya, Biti Dhangad Toli, P.S.- Paharpur, District - East Champaran.
4. Lalan Mahto Son of Ram Lal Mahto Resident of Village - Saraiya, Biti Dhangad Toli, P.S.- Paharpur, District - East Champaran.
5. Tara Mahto Son of Budhan Mahto Resident of Village - Saraiya, Biti Dhangad Toli, P.S.- Paharpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 22-08-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Paharpur P.S. Case No.78 of 2019 registered under Sections 30(a)(b)
of the Bihar Prohibition and Excise Act.

The accusation is that on receiving secret information
about selling of illicit liquor by the petitioners near the orchard,
situated at the road side in village-Saraiya Vriti Dhagar Toli, the
informant along with police personnel reached there. On seeing the
police party, the persons, who were present there, succeeded to flee



away. On search of the orchard, 8 liters country made liquor, kept in two gallons, was recovered.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that the petitioners were not apprehended on the spot. On mere suspicion, after the seizure of 8 liter country made liquor from the said orchard, the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the 9th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran, in connection with Paharpur P.S. Case No.78 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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