

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62047 of 2019

Arising Out of PS. Case No.-284 Year-2019 Thana- KHAIRA District- Saran

1. Upendra Mahto aged about 25 years (M) Son of Late Ramnath Mahto Resident of Village- Bhikhampur, P.S.- Khaira, District- Saran (Chapra).
2. Rakesh Mahto @ Gusharu @ Gucharu Mahto aged about 20 years (M) Son of Late Moharlal Mahto Resident of Village- Bhikhampur, P.S.- Khaira, District- Saran (Chapra).
3. Raj Kishore Mahto @ Bahira aged about 22 years (M) Son of Late Chhotelal Mahto Resident of Village- Bhikhampur, P.S.- Khaira, District- Saran (Chapra).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 18-10-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Khaira P.S. Case No. 284 of 2019 registered under section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioners is that the police on secret information proceeded towards the place of occurrence which is near bank of river and recovered a total quantity of 64 liters of country made illicit liquor and also some equipments for preparation of illicit liquor. The name of the petitioners have been disclosed by the village *Chaukidar*.

Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case



inasmuch as from perusal of the first information report itself, it would be evident that illicit liquor has been recovered from an open space near the bank of river and no liquor has been recovered from the conscious possession or the premises belonging to the petitioners.

Having regard to the submissions made by the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioners, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-11th-cum-Special Judge, Excise, Chapra, District Saran in connection with Khaira P.S. Case No. 284 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

U			
---	--	--	--

