

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81310 of 2019

Arising Out of PS. Case No.-148 Year-2019 Thana- LAKHNAUR District- Madhubani

1. LALIT MAHTO S/o Achche Lal Mahto R/o village- Rupoli, P.S.- Lakhsaur, Sub Division Jhanjharpur, District- Madhubani
2. Sonu Kumar Mahto S/o Kulanand Mahto R/o village- Rupoli, P.S.- Lakhsaur, Sub Division Jhanjharpur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neerad Parashar

For the Opposite Party/s : Mr.Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 153 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The names of the petitioners have transpired as the mobile of the petitioners was found near the place of occurrence



and on the basis of the same, the petitioners have been made accused in the present case. It is alleged that 153 liters wine is recovered in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court of Additional Sessions Judge -II-cum- Special Judge, Excise, Madhubani in connection with Lakhnaur P.S. Case No. 148 of 2019 corresponding to G.R. No. 1088 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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