

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79228 of 2018

Arising Out of PS. Case No.-204 Year-2018 Thana- DORIGANJ District- Saran

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1. Baskit Mahto, Son of Late Dhendhari Mahto
 2. Anil Mahto, Son of Baskit Mahto, Both Residents of Village -Kutubpur,
P.S.- Doriganj, District- Saran ... Petitioners

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Ravi Prakash, Adv.

For the Opposite Party : Smt. Veena Kumari Jaiswal, APP 147

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

ORAL ORDER

6 20-08-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Doriganj P.S. Case No. 204 of 2018 for the offences alleged under Sections 272 and 273 of the Indian Penal Code and 30 and 38 of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about selling the illicit liquor near the bridge plant, the informant, along with other police officials, reached there and saw 5-6 persons with pick-up van and motorcycles. On seeing the police party they succeeded to flee away. From the pick-up van, bearing registration no. BR-03GA-0105, six sacks of illicit liquor recovered, from the Passion Pro motorcycle, bearing registration no. BR-03V-1308, one sack of illicit liquor



recovered and from the another Glamour motorcycle, bearing registration no. BR-04X-2939, one sack of illicit liquor recovered. At that time, one person was apprehended, who disclosed his name Jata Mahto and disclosed the names of his associates as Baskit Mahto (petitioner no. 1) and Anil Mahto (petitioner no. 2).

The submission of the learned counsel for the petitioners is that petitioners were not apprehended on the spot rather their names were disclosed by Jata Mahto. Further, submission is that petitioners are neither the owner of the pick-up van or the motorcycles, which are said to be seized from the place of occurrence. Both the petitioners have no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Doriganj P.S. Case No. 204 of 2018 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional District



Judge, VI, Saran at Chapra, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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