

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6808 of 2020

Arising Out of PS. Case No.-437 Year-2019 Thana- WAJIRGANJ District- Gaya

1. SANJAY KUMAR Son of Bineshar Mahto @ Bindeshawari Prasad
2. Surendra Mahto @ Surendra Prasad Son of Naresh Mahto
Both resident of Village - Sukha Bigha, Wazirganj Market, P.S.- Wazirganj,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-06-2020 Heard both sides through Video Conferencing.

The petitioners apprehend their arrest in Wazirganj
P.S. Case No.437 of 2019 registered under Section 30(a) of
Bihar Prohibition and Excise Act.

The police got information that petitioners, Sanjay
Kumar and Surendra Mahto are indulged in manufacturing and
selling of liquor. On such information, the shop of Santosh
Kumar was raided and some bottles of Imperial Blue Whiskey
were recovered from medicine shop of Santosh Kumar. Some
country made liquor was also recovered from a bush situated in
southern portion of Sukhabigha village.

The learned counsel for the petitioners submits that



save and except suspicion, there is no material against the petitioners. From the seizure list, it would appear that some bottles of whiskey were recovered from the shop of Santosh Kumar. Nothing has been recovered from the possession of the petitioners. Country made liquor was also recovered from a bush situated in the southern portion of the village Sukhabigha.

Thus, I find that the petitioner deserves anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

Taking into consideration the facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Gaya in connection with Wazirganj P.S. Case No.437 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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