

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31763 of 2020

Arising Out of PS. Case No.-338 Year-2020 Thana- CHAPRA TOWN District- Saran

1. Mukti Nath Mahto, Son of Late Nathuni Mahto, Resident of Mohalla- Chhota Telpa, P.S.- Chapra Nagar (Town), District- Saran.
2. Krishna Mahto, Son of Late Nathuni Mahto, Resident of Mohalla- Chhota Telpa, P.S.- Chapra Nagar (Town), District- Saran.
3. Prahlad Kumar, Son of Sheo Kumar Mahto, Resident of Mohalla- Chhota Telpa, P.S.- Chapra Nagar (Town), District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate.
For the Opposite Party/s : Ms. Dr. Indiwari Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-12-2020 In view of the submission and undertaking of the learned counsel for the petitioners, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the stamp reporter, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners are accused in connection with Chapra Town P.S. Case No. 338 of 2020, registered under Sections 30(a)/41(i)(ii) of the Bihar Excise Act.



The accusation is that in course of patrolling duty, when the informant and other police personnel reached near Sadhulal Enter College then saw gathering of some persons at the bank of river. On seeing the police party, all started to flee away but on chased, Mukti Nath Mahto (petitioner no.1), Krishna Mahto (petitioner no.2) and Prahlad Kumar (petitioner no.3) were apprehended. On disclosure of Krishna Mahto (petitioner no.2) and Prahlad Kumar (petitioner no.3), two gallons containing 30 litres and one sack containing 30 litres country made liquor recovered.

Learned counsel for the petitioners submits that petitioners were apprehended by the police mere on suspicion showing the recovery of alleged country made liquor from the bank of river. It is further submitted that petitioners have no criminal antecedent and are in custody since 20.06.2020

Having regard to the facts and the circumstances of the case, the petitioners above named, are directed to 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 2nd Additional Sessions Judge/Special Judge Excise, Saran at Chapra, in connection with Chapra Town P.S. Case No. 338 of 2020. Out of two sureties, one surety must be



the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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