

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13649 of 2021

Arising Out of PS. Case No.-58 Year-2020 Thana- SAHODARA District- West Champaran

1. KANHAIYA MAHTO S/o Sipahi Mahto Resident of Kamta Farm, P.S.- Sahodra, District- West Champaran
2. MANNU MAHTO @ MANU MAHTO S/o Anti Lal Mahto Resident of Kamta Farm, P.S.- Sahodra, District- West Champaran
3. LAVKUSH MAHTO @ Lokesh @ Lawkesh Mahto S/o Late Sitaram Mahto Resident of Kamta Farm, P.S.- Sahodra, District- West Champaran
4. INDU MAHTO S/o Late Awadh Mahto Resident of Kamta Farm, P.S.- Sahodra, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-12-2021 Petitioner No. 3 Lavkush Mahto is directed to add his

alias name in course of the day.

The application with respect to Petitioner No. 2 has

already been dismissed as having become infructuous vide order

dated 02.09.2021.

Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four

weeks after complete start of the physical Court.

Petitioner Nos. 1, 3 and 4 are apprehending their

arrest in a case registered for the offences punishable under

Sections 30(a) and 30(d) of the Bihar Prohibition and Excise



Act, 2016.

Recovery of liquor is from the field side. Petitioner Nos. 1, 3 and 4 have stated that the place of recovery is accessible by anyone. Petitioner Nos. 1, 3 and 4 have got no criminal antecedent.

Considering lack of direct material against petitioner nos. 1, 3 and 4, let petitioner nos. 1, 3 and 4, above named, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sahodra Police Station Case No. 58 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) Petitioner Nos. 1, 3 and 4 shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of petitioner nos. 1, 3 and 4.

(b) Both the bailors shall be resident of territorial



jurisdiction of the learned court below.

(c) Petitioner Nos. 1, 3 and 4 shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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