

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34877 of 2020

Arising Out of PS. Case No.-277 Year-2020 Thana- MUFFASIL District- West Champaran

1. SUNIL MAHTO S/o Bholu Mahto R/o Village- Gurwaliya, P.S.- Manuapul, District- West Champaran.
2. SANTOSH MAHTO S/o Banarsi Mahto R/o Village- Gurwaliya, P.S.- Manuapul, District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-04-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 14.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehends their arrest in connection with Bettiah Muffasil (Manuapul) P.S. Case no. 277 of 2020, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The accusation is that in course of patrolling duty, the informant received information about preparation of liquor by Santosh Mahto and Sunil Mahto (Petitioners) in village- Gurwaliya, then informant and other Police personnel reached



at village-Gurwaliya near Shiv temple, then on seeing the Police party, two persons started fleeing. The local Chowkidar identified both the petitioners, while they were chased, but they succeeded to flee away. On search in the field 500 litres semi prepared liquor and 10 litres of liquor, kept in a container, recovered.

Learned counsel for the petitioners submits that petitioners have no criminal antecedent. The local Chowkidar, due to dirty village politics, disclosed the name of petitioner to the informant.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Bettiah, West Champaran in connection with Bettiah Muffasil (Manuapul) P.S. Case no. 277 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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