

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41124 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- JAMOBABAZAR District- Siwan

1. Munna Mahto Son Of Late Raghunath Mahto Resident Of Village - Sikatiya, Lala Tola, P.S. - Jamo Bazar, District - Siwan.
2. Mukesh Mahto S/O Late Raghunath Mahto Resident Of Village - Sikatiya, Lala Tola, P.S. - Jamo Bazar, District - Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udit Narayan Singh- Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-07-2021 Heard Mr. Udit Narayan Singh, the learned Advocate

for the petitioners and Mr. Tarkeshwar Nath Thakur, the learned

APP for the State.

The petitioners seek bail in anticipation of their arrest
in connection with Jamo Bazar P. S. Case No.30 of 2020,
instituted for the offences under Sections 272, 273, 308/34 of
the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

Five litres of liquor concealed beneath the hay-stack
but behind the house of the petitioners is said to have been
recovered.

The learned Advocate for the petitioners has



submitted that they are persons of clean antecedents and such recovery as shown in the seizure list cannot be saddled upon them. He has further submitted that with these background facts, the offence under the Excise Act cannot at all be said to have been made out against the petitioners.

For the facts afore-stated, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Siwan in connection with Jamo Bazar P. S. Case No.30 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

vikash/-

U		T	
---	--	---	--

