

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5195 of 2021

Arising Out of PS. Case No.-483 Year-2020 Thana- CHANPATIA District- West Champaran

1. RAMESH MAHTO Son of SRI DUKHAN MAHTO Resident of Village - Lohiyaria, Dhangad Toli, Paschim, P.S. - Chanpatia (Kumarbag), District - West Champaran.
2. DHARMENDRA MAHTO Son of LATE YOGENDRA DHANGAD Resident of Village - Lohiyaria, Dhangad Toli, Paschim, P.S. - Chanpatia (Kumarbag), District - West Champaran.
3. SANJAY MAHTO Son of SRI MOTILAL MAHTO Resident of Village - Lohiyaria, Dhangad Toli, Paschim, P.S. - Chanpatia (Kumarbag), District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2021 Heard learned counsel for the petitioners and the

State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 23 liters wine is recovered.



It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. It is alleged that out of 23 litres, 11 liters wine is recovered from a hutment which is said to be of the petitioners. The petitioners deny the ownership of the hutment, in question. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Special Judge, Excise Act, Bettiah, West Champaran in connection with Chanpatia (Kumarbag) P.S. Case No. 483 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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