

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61825 of 2021

Arising Out of PS. Case No.-245 Year-2021 Thana- TEGHRHA District- Begusarai

1. RAM SUPHAL KUMAR @ SUPHAL MAHTO @ SUPHALA S/o Kisho Mahto Resident of village - Genharpur, P.S. - Birpur, District - Begusarai.
2. Yogi Mahto @ Jogi @ Yogendra Kumar S/o Ramanand Mahto @ Ramnandan Mahto Resident of village - Genharpur, P.S. - Birpur, District - Begusarai.
3. Sanjay Kumar @ Chhotu @ Chhathu Kumar S/o Vijay Paswan Resident of village - Genharpur, P.S. - Birpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioners are apprehending their arrest in a case registered under Section 120(B) of the Indian Penal Code and sections 30(a) and 40(1)(2) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1238.4 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 names of the petitioners have transpired on the basis of disclosure made by the local residents. The names of local residents, who have named the petitioners, have not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 1238.4 liters wine is recovered from a Panchayat Bhawan. 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, 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Begusarai in connection with Teghra P.S.



Case No. 245/2021, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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