

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2261 of 2022**

Arising Out of PS. Case No.-342 Year-2021 Thana- DALSINGHSARAI District- Samastipur

1. SUNIL KUMAR MAHTO @ SUNIL MAHTO Son of Rajendra Mahto Resident of Village- Kamraon, Ward No.11, P.S.- Dalsingsarai, District- Samastipur.
2. Shambhu Mahto Son of Ram Vilas Mahto Resident of Village- Kamraon, Ward No.11, P.S.- Dalsingsarai, District- Samastipur.
3. Shyam Mahto Son of Late Baleshwar Mahto Resident of Village- Kamraon, Ward No.11, P.S.- Dalsingsarai, District- Samastipur.
4. Dinesh Mahto @ Butni Mahto Son of Late Baleshwar Mahto Resident of Village- Kamraon, Ward No.11, P.S.- Dalsingsarai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      09-06-2022      Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 323, 341, 353 and 34 of the Indian Penal Code and sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on information having been received a raid was conducted. While the other accused persons managed to escape, two accused namely Karan Mahto and Jagtaran Devi were arrested and various utensils for use of manufacture of liquor was recovered. The four petitioners were amongst the accused who had managed to escape.

It is submitted by learned counsel for the petitioners



that neither the petitioners were arrested at the spot nor any incriminating article has been recovered from their possession. They have no concern with the seized article. They have no criminal antecedent under the Bihar Prohibition and Excise Act, 2016. They are in custody since 25.11.2021 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the four petitioners not having been arrested at the spot, their not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016, their having remained in custody for six months and investigation in the case having concluded, the Court directs the above four petitioners to be enlarged on bail in connection with Dalsinghsarai P.S. Cse no. 342 of 2021 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II-cum-Special Judge, Excise, Samastipur.

**(Partha Sarthy, J)**

Prakash/-

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