

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22363 of 2021

Arising Out of PS. Case No.-1 Year-2021 Thana- TURKAULIYA District- East Champaran

1. RAMUCHIT MAHATO @ UCHIT MAHATO S/o Jawahir Mahato @ Javahar Mahato R/o Village- Sankar Saraiya, P.S.- Turkauliya, District- East Champaran.
2. Ram Ayodhya Mahato S/o- Bhanu Mahato R/o Village- Sankar Saraiya, P.S.- Turkauliy, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Turkauliya P.S. Case no. 1 of 2021 instituted for the offence under Sections 272 of 273 of the Indian Penal Code and 30(a) Bihar Prohibition and Excise Act, 2016.

The prosecution story relates to recovery of 60 litres and 32 litres country made liquor.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. The name of the petitioner has been disclosed in this case by the co-villagers, which has got no evidentiary value in the eye of law.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Turkauliya P.S. Case no. 1 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge Excise, East Champaran, Motihari subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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