

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14817 of 2022

Arising Out of PS. Case No.-128 Year-2021 Thana- ROSHANGANJ District- Gaya

1. RAJU MAHTO @ RAJU VERMA Son of Lakshman Prasad Mahto @ Lakshman Prasad Resident of Village - Dumri, P.S.- Bankey Bazar (Raushanganj), District - Gaya.
2. Santosh Das @ Santosh Kumar Son of Ravindra Das Resident of Village - Dumri, P.S.- Bankey Bazar (Raushanganj), District - Gaya.
3. Birendra Prasad @ Birendra Mahto @ Ravindra Prasad Son of Ramratan Mahto Resident of Village - Dumri, P.S.- Bankey Bazar (Raushanganj), District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-04-2022 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 four weeks.

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 130 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 130 liters wine is recovered from the house of co-accused. 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./complaint case.

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 Exclusive Excise Judge No. 3, Gaya in connection with Raushanganj (Bankey Bazar) P.S. Case No. 128/2021, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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