

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25366 of 2022

Arising Out of PS. Case No.-100 Year-2021 Thana- BISHUNPUR District- Darbhanga

1. Sanjay Mahto Son Of Raj Kumar Mahto Resident Of Village - Dihlahi, P.S.- Bishanpur, District - Darbhanga.
2. Ratan Mahto Son Of Chandar Mahto Resident Of Village - Dihlahi, P.S.- Bishanpur, District - Darbhanga.
3. Raja Yadav @ Ranjan Kumar Yadav Son Of Bhagnarayan Yadav Resident Of Village - Dihlahi, P.S.- Bishanpur, District - Darbhanga.
4. Mukesh Mahto Son Of Chandan Mahto Resident Of Village - Dihlahi, P.S.- Bishanpur, District - Darbhanga.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Singh, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 188, 290, 341, 323, 324, 307, 353, 333, 504 of the I.P.C. and Section 30(a) of the Excise Act, 2016.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 60 litre of liquor from co-accused Mahesh Mahto and Dhanna Mahto.

The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is also alleged that



petitioner no.1 and co-accused Jitendra Kumar assaulted the informant, Chaukidar and his son and petitioner nos.2, 3, 4 and other accused persons and 50-100 unidentified accused persons assaulted the police and supported, who did business of liquor. The learned counsel further submits that the petitioners came to be implicated by the Chaukidar and villagers.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners and the fact that the petitioners are persons with clean antecedent and nothing was recovered from their conscious possession, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bishanpur P. S. Case No.100 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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