

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32296 of 2022

Arising Out of PS. Case No.-72 Year-2019 Thana- RIVILGANJ District- Saran

1. JAI MAHTO Son of Shiv Shankar Mahto Resident of Village - Purwi Jaan Tola, P.s.- Rivilganj, Distt.- Saran
2. Sukhdev Mahto @ Gulteni Mahto Son of Shiv Shankar Mahto Resident of Village - Purwi Jaan Tola, P.s.- Rivilganj, Distt.- Saran
3. Danaid Mahto @ Dhanai Bind Son of Gajrath Mahto Resident of Village - Purwi Jaan Tola, P.s.- Rivilganj, Distt.- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-09-2022 At the outset, learned counsel for the petitioners seeks permission to withdraw this petition, so far as petitioners no. 2 and 3 are concerned.

Accordingly, in respect of petitioners no. 2 and 3, this petition is dismissed as withdrawn.

Now, the sole petitioner i.e. petitioner no. 1 apprehends his arrest in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

Recovery of illicit liquor has been made from Diyara area, which is an open place and accessible to general public.

It is submitted on behalf of petitioner that nothing has



been recovered from the conscious possession of the petitioner.
Petitioner has got clean antecedent.

Considering the nature of allegation and clean antecedent of petitioner, let the petitioner namely Jai Mahto, in the event of his arrest or surrender within a period of six weeks from the date of receipt / production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge X cum Special Judge, Excise, Saran at Chapra in connection with Rivilganj P.S. Case No. 72 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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