

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35012 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- MUNGER MUFFASIL District- Munger

1. ANGAJ MAHTO @ ANKAJ KUMAR Son of Late Tarni Mahto Resident of Village - Jagdish Mandal Tola Tikarampur, P.s.- Muffassil, Distt.- Munger.
2. KHAGESH MAHTO @ KHAGESH KUMAR Son of Late Tarni Mahto Resident of Village - Jagdish Mandal Tola Tikarampur, P.s.- Muffassil, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 37353 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- MUNGER MUFFASIL District- Munger

PANKAJ MAHTO @ PANKAJ KUMAR SINGH SON OF LATE TARNI
MAHTO R/O VILLAGE- JAGDISH MANDAL TOLA TIKARAMPUR,
P.S.- MUFFASSIL, DISTRICT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 35012 of 2022)

For the Petitioner/s : Mr.Jyoti Ranjan Jha

For the Opposite Party/s : Mr.Sangeeta Sharma

(In CRIMINAL MISCELLANEOUS No. 37353 of 2022)

For the Petitioner/s : Mr.Jyoti Ranjan Jha

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-09-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within



stipulated period, office will place the matter before the Bench.

Petitioners apprehends their arrest in connection with a case registered for the offence punishable u/s 30(a) of the Bihar Prohibition of Excise Act Amendment, 2018.

Altogether 15 litres of country made liquor is said to have been recovered from the dwelling house of the petitioners.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. Their name transpired in this case on the basis of secret information. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from their conscious physical possession. They have no concern either with the seized liquor or any trade of liquor. He further submits that the petitioners are living separately from last 10 years and they have no concern with family affairs of each others. Petitioners have no criminal antecedent.

Petitioners are agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) **each** in the Bihar State Legal Services Authority, Budh Marg, Patna bearing Account No.0380000100252472, IFSC PUNB0038000, Punjab National



Bank.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Muffasil P.S. Case No.194 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioners shall be accepted by the



learned Court below on showing receipt of deposit of
Rs.10,000.00/- (Rupees Ten Thousand) **each** in the Bihar State
Legal Services Authority.

(Anjani Kumar Sharan, J)

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