

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35428 of 2022

Arising Out of PS. Case No.-536 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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1. MOSAFIR MAHATO SON OF LATE ASHARFI MAHTO RESIDENT OF VILLAGE- BAJITPUR, P.S.- MADHUBAN, DISTRICT- EAST CHAMPARAN
 2. JAY NARAYAN MAHATO SON OF LATE BUTAN MAHATO RESIDENT OF VILLAGE- BAJITPUR, P.S.- MADHUBAN, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Excise Case No. 536 of 2020 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 80 litres country made liquor from behind the hut of a garden.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Petitioners



have no concern with the alleged recovery or with the place of occurrence. Neither the petitioners were arrested nor any incriminating article has been recovered from their possession.

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 Excise Case No. 536 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, Motihari, East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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