

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52208 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- BISFI District- Madhubani

1. Meena Devi Wife Of Santosh Mahto R/O Village- Narsam, P.S.- Bisfi (Patauna), District- Madhubani
2. Arun Mahto @ Arun Kumar Mahto Son Of Santosh Mahto R/O Village- Narsam, P.S.- Bisfi (Patauna), District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-11-2022 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 Bisfi (Patauna) P.S. Case no. 47 of 2022 instituted for the offence under Sections 272, 273/34 and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 64.2 liters illicit Nepali liquor from house of the co-accused Santosh Mahto who is the husband of the petitioner no.1 and father of the petitioner no.2.

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. It is relevant fact that petitioner no.1 is wife and petitioner no.2 is son of the of the co-accused Santosh Mahto, who is already in Judicial custody due to which these petitioners have been made accused in this case. Petitioners have no concern with the alleged recovery of illicit wine. It is further submitted that neither the petitioners were arrested on spot nor any incriminating article has been recovered from their conscious 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 Bisfi (Patauna)P.S. Case no. 47 of 2022, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani



subject to the conditions as laid down under section 438(2) of
the Cr.P.C.

(Sunil Kumar Panwar, J)

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