

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65106 of 2022

Arising Out of PS. Case No.-219 Year-2022 Thana- DIGHWARA District- Saran

1. Awadhesh Mahto @ Awadhesh Kumar Mahto S/O Late Chandrika Mahto
R/O Village- Manupur, P.S- Dighwara, District-
2. Manoj Mahto S/O Tipan Mahto R/O Village-Manupur, P.S- Dighwara,
District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2022 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 Dighwara P.S. Case no. 219 of 2022 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 100 liters illicit country made liquor from the bamboo clamps of Jyoti Singh.

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 of illicit country



made liquor or with the place of occurrence which is bamboo clamp of one Jyoti singh. The name of the petitioners have been disclosed in this case by local Chaukidar. 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 Dighwara P.S. Case no. 219 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 District and Session Judge Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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