

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46996 of 2023

Arising Out of PS. Case No.-78 Year-2023 Thana- RAJPUR District- Rohtas

-
1. MAMPU KUMAR @ MAMPHU YADAV SON OF RAJA RAM SINGH @ RAJA YADAV RESIDENT OF VILLAGE - KUSUMHARA, MAHTO TOLA, PS- RAJPUR, DIST- ROHTAS AT SASARAM
 2. AJIT KUMAR SON OF KAMLESHWAR SINGH @ KAMLESH MAHTO RESIDENT OF VILLAGE - KUSUMHARA, MAHTO TOLA, PS- RAJPUR, DIST- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Riya Singh

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

- 2 04-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners are apprehending their arrest in connection with Rajpur P.S. Case No. 78 of 2023 registered for the offences publishable under Sections 30(a)(d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.
3. As per prosecution case, there is alleged recovery of 45 liters illicit mahua liquor from the place of occurrence. Local chaukidar disclosed the name of present petitioners who fled away from the place of occurrence.
4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the F.I.R. and they have falsely been implicated in this case.



Petitioners bear no criminal antecedent. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner. There is no independent witness to the alleged occurrence. There is violation of Section 100 of the Cr.P.C. Seizure list has not been made as per law.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioners, argument advanced on behalf of the petitioners and also taking into consideration the materials available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 Exclusive Special Excise Court No. - 2-cum- Additional District and Sessions Judge, Rohtas at Sasaram in connection with Rajpur P.S. Case No. 78 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

amitkr/-

U		T	
---	--	---	--

