

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49978 of 2023

Arising Out of PS. Case No.-101 Year-2023 Thana- LAKHNAUR District- Madhubani

1. RAM KUMAR @ RAM KUMAR MAHTO SON OF SIYA MAHTO
RESIDENT OF VILLAGE- RUAPPAULI P.S -LAKHANAUR DISTRICT
-MADHUBANI
2. PRAMOD KUMAR MAHTO SON OF RAM RADHIN MAHTO
RESIDENT OF VILLAGE- RUAPPAULI P.S -LAKHANAUR DISTRICT
-MADHUBANI
3. LALLU MAHTO @ SHAILENDRA MAHTO SON OF RANJENDRA
MAHTO RESIDENT OF VILLAGE- RUAPPAULI P.S -LAKHANAUR
DISTRICT -MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Manoj Kumar , Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-08-2023 Heard learned counsel for these petitioners and the

State.

2. Petitioners apprehend arrest in a case registered for
the offence punishable under Section 272, 273/34 of the Indian
Penal Code 30 (a) of Bihar Prohibition and Excise Act, 2018.

3. 301.260 liters of country made liquor has been
recovered from Bolero Car.

4. It is submitted that the petitioners are neither
owner nor driver of the vehicle in question. No incriminating
material has been recovered from the conscious possession of



these petitioners and they are no way connected with the aforesaid recovery. Petitioner Nos. 1 and 2 claims clean antecedent.

5. Learned counsel for the State opposes the bail petition and submits that petitioner No . 3 has got 3 criminal antecedent.

6. Considering the criminal antecedent of petitioner No . 3 , the bail petition of the petitioner No . 3 is rejected.

7. Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioner Nos. 1 and 2, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Excise Act, Jhanjharpur in connection with G.R. No. 349/2023 arising out of Lakhnaur Police Station Case No . 101 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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