

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63451 of 2023

Arising Out of PS. Case No.-535 Year-2023 Thana- SHEKHPURA District- Sheikhpora

1. Pramod Kumar Mahto, son of Ramdhani @ Ramdhani Mahto, R/o Village-Rupauli @ Roopwali, P.S.- Lakhnur, Dist- Madhubani @ Madhuwani
2. Mahesh Kumar, son of Sri Ramchandra Mahto, R/o Village- Pachahi, P.S.- Madhepur, Dist- Madhubani @ Madhuwani
3. Ram Kumar, son of Siya Sharan Mahto @ Siyasharan Mahto, R/o Village-Rupauli @ Roopwali, P.S.- Lakhnur, Dist- Madhubani @ Madhuwani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case instituted for the offences under Sections 30(a), 41 and 32 of the Bihar Prohibition and Excise Act.

3. As per the allegation, the police party acting upon a secret information intercepted a car and apprehended the accused persons. It is further alleged that on search of the said car, 135.780 litres wine was recovered.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 11.08.2023. The



petitioner No. 2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Charge-sheet has been submitted in the present case. The petitioners have falsely been implicated in the present case. It is alleged that 135.780 litres wine is said to have been recovered from the car. The car in question does not belong to the petitioners. There is no chance of trial being concluded in near future. There is no compliance of Section 100 of Cr.P.C.

5. On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Sheikhpura P.S. Case No. 535 of 2023.

(Sudhir Singh, J)

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