

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19354 of 2024

Arising Out of PS. Case No.-319 Year-2023 Thana- LAURIA District- West Champaran

1. Bablu Mahto Son of Nathuni Mahto Resident of vill.-Suraha Chatti, P.S.- Ashok paper mills, Distt.-Darbhanga, Bihar
2. Sonu Kumar Mahto Son of Shivji Mahto Resident of vill.-Hasa, P.s.-Waris nagar, Distt.-Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rambabu Yadav, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Lauriya P.S. Case No. 319 of 2023, instituted for the offences punishable under Sections 272, 273, 420, 467, 468, 471, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 4428 liters liquor was recovered from truck and both the petitioners were apprehended on spot.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating



material have been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is further submitted that the petitioners are driver and helper of the truck and they have no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 27.11.2023 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lauriya P.S. Case No. 319 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to cancel
the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

