

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69043 of 2024

Arising Out of PS. Case No.-218 Year-2024 Thana- HARSIDHI District- East Champaran

1. Chethar Paswan @ Sajan Paswan S/o- Sakal Hazara Resident of Village - Bhada, P.S. - Harsidhi, District - East Champaran
2. Aklu Ram Son of Hari Ram Resident of Village - Bhada, P.S. - Harsidhi, District - East Champaran
3. Jitendra Mahto Son of Nathuni Mahto Resident of Village - Bhada, P.S. - Harsidhi, District - East Champaran
4. Sailendra Mahto @ Shailendra Mahto @ Sivendra Mahto Son of Babu Lal Mahto Resident of Village - Bhada, P.S. - Harsidhi, District - East Champaran
5. Upendra Mahto Son of Bansi Mahto Resident of Village - Bhada, P.S. - Harsidhi, District - East Champaran
6. Badan Paswan Son of Late Sakal Paswan Resident of Village - Bhada, P.S. - Harsidhi, District - East Champaran
7. Tinku Paswan Son of Lalan Paswan Resident of Village - Bhada, P.S. - Harsidhi, District - East Champaran
8. Pramod Mahto Son of Ishwar Mahto Resident of Village - Bhada, P.S. - Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Harsidhi P.S. Case no. 218 of 2024 instituted for the offence under Sections 272 and 273 of the Indian Penal



Code and Section 30 (a) and 45 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The prosecution case in brief is that from the bamboo bush altogether 50 liters of country made liquor was recovered. It is the further case of the prosecution is that one Pramod Mahto was selling the illicit liquor in Bhada fair. At the time of search, Pramod Mahto managed to escape. It is further alleged that certain persons have aided Pramod Mahto in fleeing away. The petitioners are the persons whom the prosecution alleged that they had aided the main accused Pramod Mahto in fleeing away.

4. Learned counsel for the petitioners has submitted that petitioners are innocent and have falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the conscious possession of the petitioners. It is not clear from the FIR that as to how these petitioners were identified. It is further submitted that the petitioner no.1 is having two criminal antecedents whereas rest of the petitioners having no criminal antecedent.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. 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 petitioner on bail. The petitioner is 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 Harsidhi P.S. Case no. 218 of 2024, he 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 Special Judge, Excise Court No. 1, East Champaran, Motihari, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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