

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64492 of 2018

Arising Out of PS. Case No.-749 Year-2018 Thana- SITAMARHI District- Sitamarhi

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1. SURENDRA MAHATO S/o Laxmi Mahato @ Shukaroo Mahato.
 2. Ajay Mahato S/o Late Rajdeo Mahato. Both are Residents of Village- Punaura East Ward No. 7, P.S.+ District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 07-12-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

It has been informed by learned counsel for the petitioners that **petitioner no. 2 Ajay Mahato** has already been arrested in this case, hence, his prayer for anticipatory bail has become infructuous now.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

From the orchard of the petitioner no. 1, liquor was allegedly recovered.

Submission is that the place is accessible by anyone.
Petitioner has got no criminal antecedent.



Considering the aforesaid facts, let the **petitioner no. 1**, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Sitamarhi Police Station Case No. 749 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner no. 1 shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner no. 1.

(Birendra Kumar, J)

Kundan/Rajan

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