

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34750 of 2018

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Rakesh Kumar Mahto @ Rakesh Kr. Mahto son of Maheshwar Mahto,
Resident of village- Malpur Agrail, P.S.- Sakara, Muzzafarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-06-2018

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Baligaon Police Station Case No. 12 of 2018, disclosing offences under Sections 419, 420 and 120(B) of the Indian Penal Code and Sections 30(a), 32(2) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the alleged recovery of foreign liquor was made from the bolero pick up, which is evident from seizure list and the petitioner has no concern with the alleged recovery and the vehicle. Nothing has been recovered from the conscious possession of the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.



Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 Additional Sessions Judge-II –cum- Special Judge, Excise, Vaishali, Hajipur, in connection with Baligaon Police Station Case No. 12 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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