

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57225 of 2018

Arising Out of PS.Case No. -217 Year- 2018 Thana -WARISNAGAR District- SAMASTIPUR

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Sanjay Mahto @ Sanjay Pasi @ Sanjay Kumar, S/o Ramdeo Mahto,
Resident of Village- Masina, P.S.- Khanpur, District- Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Warisnagar P.S. Case No. 217 of 2018 registered for the offences

punishable under Sections 273 of the Indian Penal Code and

Sections 30(a), 38, 41 of Bihar Prohibition and Excise Act, 2016.

In huge quantity Indian made foreign liquor was

seized while the aforesaid liquor was being carried by a pick up

van. One person, namely, Ajay Kumar was arrested and disclosed

that seized liquor belonged to him as well as petitioner. The first

information report discloses that at the time of raid, one person

managed to escape but it is admitted case of the prosecution that

aforesaid person was unknown person. Therefore, it is obvious



that the aforesaid seized liquor was not being carried by the petitioner and except the confessional statement of co-accused, there appears to be nothing against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum Special Judge, Excise Act, Samastipur in Warisnagar P.S. Case No. 217 of 2018 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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