

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.114 of 2018

Arising Out of PS. Case No.-127 Year-2017 Thana- PHULWARIA District- Begusarai

Sukeet Mahto @ Sujeet Mahato @ Chalo Mahato @ Challa Mahto, Son of
Raj Kumar Mahato @ Jimidar Mahto, resident of Village- Fulwariya-2, near
Thakurbari, P.S.- Fulwariya, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. PAWAN KUMAR CHAURASIYA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-01-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 30 and 30/a of the Bihar Prohibition
and Excise Act, 2016.

Prosecution case, in short, is that 67.500 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
name of the petitioner has come on the basis of disclosure made
by the co-accused as per F.I.R. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner



in this case. It is alleged that 67.500 liters wine is recovered from the house of Kailash Poddar and from the field of Vikki Mahto. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Anil Kumar Sinha, learned Addl. Sessions Judge VIIth, Begusarai-cum-Spl. Judge, Bihar Prohibition and Excise Act in connection with Fulwariya P.S. case No.127 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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

