

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11884 of 2018**

Arising Out of PS.Case No. -475 Year- 2017 Thana -BHAGWAN BAZAR District- SARAN

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1. Rama Shankar Mahto, son of Kariman Mahto, Resident of Village-  
Rupganj, Police Station- Bhagwan Bazar, District- Saran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      28-02-2018                      Heard the learned counsel for the petitioner and the  
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Bhagwan Bazar PS case no. 475 of 2017 registered for the offences punishable under Section 30 of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 25 ltrs. of illicit liquor from a motorcycle being driven by one Ranjan Kumar.

The learned counsel for the petitioner submits that neither any recovery has been effected from the conscious possession of the petitioner nor the said motorcycle belongs to the petitioner. It is further submitted that the petitioner has a clean antecedent.

Considering the nature of accusation and the fact that prima facie, no case is made out under the provisions of the Excise Act,



I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of 6<sup>th</sup> Additional District Judge, Saran at Chapra in connection with Bhagwan Bazar PS case no. 475 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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