

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33513 of 2018

Arising Out of PS. Case No.-72 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

=====

Rama Kant Mahto S/o Vishwanath Matho, R/o Vill.- Harpur Rajokhar, P.S. +
District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.
Mr. Dhramveer, Adv.

For the Opposite Party/s : Mr. None

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 27-06-2018 Heard Sri Ranjan Kumar Jha, learned counsel,

assisted by Sri Dhramveer, learned counsel for the

petitioner . None appeared on behalf of the State.

The sole petitioner, having clean antecedent,
which fact has been stated in paragraph 3 of the petition,
apprehending his arrest in Excise Case No. 72 of 2018,
registered for offence under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016, has prayed for grant of
bail, in the event of his arrest or surrender.

Learned counsel for the petitioner submits that
nothing was recovered either from the conscious
possession of the petitioner, from his premises or from his



field, rather in the case, from an open field, not belonging to the petitioner, about 81 litres of Indian make foreign liquor was shown to be recovered. The petitioner along with some other persons due to village politics have been falsely implicated as if the petitioner was involved in the case. By way of referring to the F.I.R., Sri Ranjan Kumar Jha, learned counsel for the petitioner submits that while fleeing away from the place of occurrence after seeing the police, it has been stated that the accused persons including the petitioner was seen by the witness. He submits that name of the witness has not been disclosed by the informant and only vague allegation has been made.

Considering the fact that petitioner is having clean antecedent and nothing was recovered either from his conscious possession or his land or premises, there is no reason to refuse the prayer for grant of anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Rama Kant Mahto be enlarged 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 2nd Addl. Sessions Judge-cum-Special Judge,
Gopalganj in connection with Excise Case No. 72 of 2018,
subject to conditions as laid down in Section 438(2) of the
Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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

