

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11114 of 2018

Arising Out of PS.Case No. -288 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

=====

Mahesh Mahto S/o Late Bhajan Mahto, R/o Mohalla- Imamganj, Mishra
Tola, P.S.- Town, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Nawal Kishore Prasad

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with P.R. 36/17-18, Excise Case No. 288 of 2017 registered for
the offences punishable under Sections 30(a), 38 and 41 of the
Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 11.500 liters of
illicit liquor from the heap of the garbage.

The learned counsel for the petitioner submits that
neither any recovery has been effected from the possession of the
petitioner nor the place from where the recovery has been made
belongs to the petitioner and the petitioner is having a clean
antecedent.



Considering the nature of accusation levelled against the petitioner herein as also the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Addl. Sessions Judge-cum- Special Judge, Excise Act, Muzaffarpur in connection with P.R. 36/17-18 Excise Case No. 288 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

BTiwary/-

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

