

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2227 of 2019

Arising Out of PS. Case No.-440 Year-2018 Thana- WARISLIGANJ District- Nawada

Pappu Prasad @ Pappu Mahto, aged about 40 years (Male), son of Late Bangali Mahto, Vill-Paingari, P.S. Warisaliganj, Distt.-Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prasad Singh
For the Opposite Party/s : Mr. Manoj Kumar (APP168)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Warisaliganj P.S. Case No. 440 of 2018 registered for offences under sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation, the police, on secret information, raided the house of the petitioner and recovered foreign liquor contained in 27 bottles each of 750 ML.

Learned counsel for the petitioner submits that the petitioner does not reside in his village house rather he is staying at Warisaliganj for the purpose of his livelihood as well as for better education of his children. He has further submitted that the court below has taken cognizance of the certificate of



Sarpanch that he does not live in the village for five years but, he lives at Warisaliganj and does business.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Pappu Prasad @ Pappu Mahto, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released 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 Additinal District Judge-II – cum – Special Judge, Nawada in connection with Warisaliganj P.S. Case No. 440 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that in future if the petitioner is found involved in similar offences, the prosecution will be at liberty to pray for cancellation of the bail bonds.

(Shivaji Pandey, J)

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