

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3857 of 2019

Arising Out of PS. Case No.-118 Year-2018 Thana- ANDHRATHARHI District- Madhubani

Manish Kumar Mahto Late Mahavir Mahaseth Resident of Village- Arariya Sangram, P.S.- Jhanjharpur (Arariya Sangram O.P.), District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar

For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-01-2019 Heard the learned counsel for the petitioner and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Andharatharhi P.S. Case No. 118 of 2018 dated 18.10.2018 instituted for the offences under Sections 272 and 273 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It appears from the FIR that 1.640 litres of liquor was recovered from the field of one Prabhu Nath Yadav. One person was spotted to have run away from the place of occurrence after leaving his bicycle. The aforesaid person has been identified by someone to be the petitioner.

Learned counsel for the petitioner has



submitted that there is no recovery from him or his constructive possession and he does not have any criminal antecedents. The FIR does not disclose the source through which the police party was informed that the person who had run away was the petitioner and non-else.

Considering the aforesaid facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani in connection with Andharathari P.S. Case No. 118 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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