

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9710 of 2019

Arising Out of PS. Case No.-184 Year-2018 Thana- MUSRIGHRARI District- Samastipur

Jai Prakash Mahto @ Raghu Mahto aged about 38 years Gender- Male, Son of Baidhnath Mahto Resident of Village- Gangapur, P.S.- Musrigharari, District-Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Musrigharari P.S. Case No. 184 of 2018 registered under Sections 272 & 273 of the Indian Penal Code and Section 30(a), 31(i)(ii), 47 of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that the alleged recovery of illicit liquor is from a Litchi Orchard. The allegation is that the petitioner was one of the workers who was involved in unloading of the illicit liquor in the said Litchi Orchard. Learned counsel submits that there is no recovery from any conscious possession of the petitioner and the co-accused similarly situated has been granted Anticipatory Bail by a learned coordinate Bench of this court in Cr. Misc. No. 8674/2019. It is submitted that the petitioner has no criminal antecedent.

Learned A.P.P. for the State is present and has opposed the prayer for anticipatory bail of the petitioner.



In the given facts and circumstances of the case considering that the petitioner is said to be a worker, he has no criminal antecedent and the co-accused similarly situated has been granted privilege of anticipatory bail, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-3rd – cum-Special Judge, Excise, Samastipur, in connection with Musrigharari P.S. Case No. 184 of 2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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