

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23228 of 2019

Arising Out of PS. Case No.-207 Year-2018 Thana- DUMARIAGHAT District- East
Champaran

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Suresh Mahto, aged 23 years (M), Son of Satan Mahto Resident of Village -
Puraina, P.s.- Dumariyaghat, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Dumariyaghat P.S. Case No. 207 of
2018 registered for offences under sections 272, 273 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act.

As per allegation, the police has recovered 4.6
liters of country made liquor from the joint garden of Laxman
Mahto and Satan Mahto.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent as has been stated in
paragraph no.3 of the present bail petition.

Looking to the entire facts and circumstances of the
case, let the petitioner, above named, 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 7th Additional Sessions Judge cum Special Judge, Excise, Motihari, East Champaran in connection with Dumariyaghat P.S. Case No. 207 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.

However, at the time of accepting bail bonds, the court below will verify and ensure itself regarding criminal antecedent of the petitioner and if it is found that the petitioner has clean antecedent, his bail bond will be accepted but, if it is found that the petitioner is involved in any other case before filing of the present case i.e. 10.4.2019, then he would not be released.

(Shivaji Pandey, J)

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