

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75175 of 2018

Arising Out of PS. Case No.-197 Year-2018 Thana- AKBARPUR District- Nawada

Munna Mahto, Son of Mundrika Prasad, Resident of Village- Patel Nagar, Sanakhra,
Police Station- Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-01-2019 Heard learned Counsels for the petitioner and
learned APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise and Prohibition Act, 2016.

The prosecution case is that on 20.08.2018, during the patrolling, the informant being ASI of Akbarpur Police Station was informed by S.H.O. of the same police station to the effect that the petitioner is transporting liquor on a motorcycle. Whereupon the informant reached at the occurrence and found that the petitioner was apprehended by the villagers but somehow he managed to escape from the scene. Thereafter, the illicit liquor was handed over to the police by the villagers. It is further alleged that the motorcycle seized from the place of occurrence was found to be registered in the name of the petitioner.

It is submitted by learned counsel for the petitioner that



maliciously the villagers have roped the petitioner in the present case. It is further submitted that the seizure list suggests that the seizure was made on the road in front of the house of one Deepak Singh. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the seizure has been made from the motorcycle and the motorcycle was found to be registered in the name of the petitioner.

Considering the fact that though the FIR suggests that seizure has been made from the motorcycle which was found to be registered in the name of the petitioner but the seizure list suggests that the seizure was made on the road in front of the house of one Deepak Singh, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Session Judge-II-cum-Special Judge, Nawada** in connection with **Akbarpur P.S.**



Case No.197 of 2018, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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