

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36105 of 2019**

Arising Out of PS. Case No.-196 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Sonelal Mahto, S/o Mohan Kumar Mahto @ Kishan Mahato, R/o Village-
Sherpur, P.S.- Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Gauri Shankar Gupta

=====

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 17-08-2019 Heard learned counsel for the petitioner and learned
APP for State.

The petitioner in this case is seeking anticipatory bail in connection with Sadar P.S. Case No.196 of 2019 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that no illicit liquor has been recovered from the hotel of this petitioner rather on search of the wheat field behind the hotel one cartoon of 375 ml containing 24 pieces of illicit liquor has been recovered and on that ground alone the petitioner has been made accused. It is submitted that the petitioner has clean antecedent.



Learned APP for the State has opposed the prayer for anticipatory bail, however, nothing could be pointed out to show that prima-facie there is any material to connect the petitioner.

In the given facts and circumstances of the case, considering the fact that the alleged illicit liquor has been recovered from the wheat field and not from the hotel of this petitioner and further that the petitioner has got clean antecedent, let petitioner above named in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Sadar P.S. Case No.196 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police



officer;

(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

