

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39477 of 2019

Arising Out of PS. Case No.-58 Year-2019 Thana- BASOPATTI District- Madhubani

Santosh Mahto, Son of Singheshwar Mahto, Resident of Village - Datuar, P.S.
- Khajauli, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-06-2019 This is an application for grant of anticipatory bail in connection with Basopatti P.S. Case No. 58 of 2019, disclosing offences under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution story is that police has received a secret information that some accused persons are carrying liquor on motorcycle, the police raided the place of occurrence, one accused caught by the police whereas the other accused persons succeeded in fleeing away from the spot. Police seized the motorcycles and also recovered 990 bottles of 300 ml each and arrested the accused persons.

Submission of the learned counsel for the petitioner is that his name transpired in the confessional statement of the co-accused and the motorcycle is also not in the name of petitioner.

Heard learned A.P.P. also.



Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Additional District and Sessions Judge-II-cum- Special Judge, Excise Act, Madhubani, in connection with Basopatti P.S. Case No. 58 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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