

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45850 of 2019

Arising Out of PS. Case No.-47 Year-2019 Thana- CHANPATIA District- West Champaran

MAHANTH MAHTO Son of Late Jawahir Mahto, Resident of Village-
Garabhua Lala Tola, P.O.-Turhapatti, P.S.-Chanpatia (Sirisiya O.P.), District-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Chanpatia Sirisiya P.S. Case No. 47 of 2019
registered for offence punishable under sections 272, 273, 414
of the Indian Penal Code and 30(a), 30 (b), 37 (c) of the Bihar
Prohibition Excise Act.

It has been alleged that 10 litres of mahua liquor has
been recovered inside the house of the petitioner.

The learned counsel for the petitioner submits that no
one was present in the house when the recovery was made. The
petitioner has no criminal history.

Looking to the quantity of liquor and the petitioner



having no criminal antecedent, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Bettiah, West Champaran in connection with Chanpatia Sirisiya P.S. Case No. 47 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail bond.

(Shivaji Pandey, J)

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