

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.51726 of 2019

Arising Out of PS. Case No.-154 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

GOBIND KUMAR MAHTO @ GOBIND MAHTO @ GOVIND KUMAR
MAHTO @ GOVIND MAHTO, aged about 28 years, Male, Son of Sri Suraj
Mahto, Resident of Mohalla - Anhariabag Belwaganj, P.S. - Laheriasarai,
District – Darbhanga ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : M/s Manish Kumar No. 13 & Rohit Kumar, Advs.
For the Opposite Party : Mr. Md. Iftekhhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 20-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Laheriasarai P.S. Case No. 154 of 2019 (G.O. Case No. 403 of
2019) for the offences alleged under Sections 30(a) and 37(c) of
the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty, the
informant, along with the police officials, reached at the western
part of Mirza Khan pond of Andheriyabad Mohalla, then, he
saw one Apache motorcycle, without number plate, and, the
person riding on the motorcycle tried to conceal himself there,
was caught hold by the police and he disclosed his name
Dharmendra Kumar Thakur, resident of Mohalla Andheriyabad,
P.S. Belwaganj, Laheriasarai, Darbhanga. On search, two
cartons, contained 42 bottles of Indian made foreign liquor
recovered and caught hold person disclosed the name of Chotu
Kumar and the petitioner (Gobind Kumar Mahto) saying that



they are also involved in the trade of illicit liquor.

The submission of the learned counsel for the petitioner is that the petitioner was not apprehended at the spot and his name has surfaced in the confessional statement of the co-accused. The petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Laheriasarai P.S. Case No. 154 of 2019 (G.O. Case No. 403 of 2019) shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II-cum-Special Judge, Excise Act, Darbhanga, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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