

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80762 of 2018

Arising Out of PS. Case No.-339 Year-2018 Thana- CHANPATIA District- West Champaran

Lalan Mahto Son of Mahanth Mahto Resident of Village -Grabhuwa Lala
Tola, PP. Turhapatti, PS-Chanpatiya, Sirisiya (O.P.), District-West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Sri Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-01-2019 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 (Sirisia O.P.) P.S. Case No. 339 of
2018 registered for offence punishable under sections 467, 468,
471, 414 of the Indian Penal Code and 30 (A)/ 30(B) of the
Bihar Prohibition and Excise Act, 2016.

Allegation has been made that from a “Bolero”
vehicle of the petitioner, 9 litres of country made liquor has been
recovered. The petitioner has no criminal antecedent.

Looking to the quantity of liquor and the clean
antecedent of petitioner, his prayer for bail 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 (Sirisia O.P.) P.S. Case No. 339 of 2018, 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.

(Shivaji Pandey, J)

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