

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71564 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- KHIJARSARAI District- Gaya

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KAPIL MAHTO @ KAPIL DEO PRASAD @ KAPIL PRASAD, Male, aged about 55 years, Son of Late Sukar Mahto, Resident of village- Horma, P.S.- Khizarsarai, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha, Adv.

For the Opposite Party/s : Mr.Arvind Kr. Pandey (APP 84)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30 (k) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that there is recovery of 01 liter Deshi Mahua illegal wine and also 15 liters of Mahua flower from the construction house of the petitioner and there is no recovery from the conscious possession of the petitioner. The petitioner has no criminal antecedent.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioner, subject to deposit of Rs. 5,000/- in the court below



and on deposit of the aforesaid amount, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Gaya, in connection with Khizarsarai P.S. Case No. 191 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

Such deposit of Rs. 5,000/- shall abide by the outcome of the criminal case.

(Anjani Kumar Sharan, J)

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