

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84420 of 2019

Arising Out of PS. Case No.-188 Year-2018 Thana- BALIYA District- Begusarai

Navin Kumar @ Chhotu @ Navin Mahto S/o Sahdeo Mahto, Resident of
Village- Nipaniya, P.S.- Muffasil, (O.P. Lakho), District- Begusarai.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-12-2019 Heard learned counsel for the petitioner and learned
APP for State.

The petitioner in this case is seeking anticipatory bail
in connection with Ballia P.S. Case No. 188 of 2018 registered
for the offences punishable under Sections 30(a), 32/41(i) of the
Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. It is further submitted that the petitioner is not named in
the FIR and nothing has been recovered from his conscious
possessions and also the petitioner has got nothing to do with
the alleged wine, place or the vehicle in question. Learned
counsel also submits that similarly situated three co-accused
have been granted privilege of anticipatory bail by the learned



Co-ordinate Benches of this Court. Petitioner has no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein this petitioner is not named in the FIR, he has no criminal antecedent and he has specifically stated that he has got nothing to do with the alleged wine, place or the vehicle in question as also similarly situated three co-accused have been granted privilege of anticipatory bail by the learned Co-ordinate Benches of this Court, let the petitioner in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Begusarai in connection with Ballia P.S. Case No. 188 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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