

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85666 of 2019

Arising Out of PS. Case No.-238 Year-2018 Thana- UJIYARPUR District- Samastipur

Pappu Mahto @ Bhikhan Mahto, Son of Golai Mahto, Resident of Village -
Pataili Hat, P.S.- Angar Ghat, District- Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh

For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Ujiarpur P.S. Case No.238 of 2018, corresponding to G.R.
No.995 of 2018, registered for the offence punishable under
Sections 272, 273 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that police upon secret information
proceeded towards place of occurrence and apprehended one
person, namely, Raju Paswan and also recovered a total quantity
of 3.5 litres of countrymade illicit liquor from the hut.

Mr. Arun Kumar, learned counsel appearing for the
petitioner submits that the petitioner has falsely been implicated



in this case on the basis of statement of co-accused Raju Paswan. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession or from the premises belonging to the petitioner. Learned counsel further submits that the petitioner has got no criminal antecedent, however, after lodging of the present F.I.R., the police raided the house of the petitioner and lodged Angar Ghat P.S. Case No.59 of 2018 against the petitioner subsequently.

After having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner and the name of the petitioner has come on the basis of disclosure made by arrested co-accused, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Spl. Judge, Excise, Samastipur, in connection with Ujiarpur P.S. Case No.238 of 2018,



corresponding to G.R. No.995 of 2018, subject to the condition
as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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