

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12302 of 2021

Arising Out of PS. Case No.-123 Year-2020 Thana- SANOKHAR District- Bhagalpur

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Kundan Mahto, male, aged about 35 years, Son of Ramdeo Mahto, Resident of Village- Maheshpur, Bind Tola, P.S.- Sanhaura, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-12-2021 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Sanokhan (Amdanda) P.S. Case No. 123 of 2020, dated 27.09.2020, instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

125 litres of liquor is said to have been recovered from an open space from near the bank of a river. One Ashok Mahto is said to have been arrested, who has confessed before the police naming the petitioner as one of his associates.



In view of no recovery from the petitioner and his being a person of clean antecedent, it has been urged on his behalf that the offence under the Excise Act cannot be said to be made out against him.

For the reasons afore-stated, the petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-II-Cum-Special Judge, Excise, Bhagalpur in connection with Sanokhan (Amdanda) P.S. Case No. 123 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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