

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20649 of 2021

Arising Out of PS. Case No.-214 Year-2020 Thana- DERNI BAZAR District- Saran

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Birendra Mahto S/O Late Bali Mahto R/o village- Pirari, P.S.- Darni, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2021 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon

to do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 30 30(a) of the Bihar Prohibition & Excise



Act.

There is recovery of 45 litres of country made liquor from behind the hut of this petitioner.

It is submitted by learned counsel for the petitioner that petitioner was not arrested from the spot. Nothing has been recovered from the conscious possession of the petitioner and only on the basis of the confessional statement of co-accused persons, the petitioner has been roped in the present case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge/Special Judge, Excise, Saran, Chapra in



connection with Derni P.S. Case No. 214 of 2020,
subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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