

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.24961 of 2021**

Arising Out of PS. Case No.-110 Year-2020 Thana- HASANPUR District- Samastipur

1. Arvind Mahto S/O Ram Pratap Mahto R/O Village-Khori, P.S.-hasanpur, District-Samastipur
2. Anil Mahto S/O Ram Pratap Mahto R/O Village-Khori, P.S.-HASANPUR, District-Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr. Abdul Mannan Khan          |
|                          | : | Mr. Najmul Hoda                |
| For the Opposite Party/s | : | Mr. Damodar Prasad Tiwari, APP |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
ORAL ORDER

3      03-11-2021                      Heard learned counsel for the petitioner Sri Abdul Mannan Khan assisted by Md. Najmul Hoda and Shri Damodar Prasad Tiwari, learned A.P.P. for the State.

The petitioner no.2 Anil Mahto is seeking anticipatory bail in connection with Hasanpur P.S. Case No. 110/2020 instituted under Section 30(a) of the Bihar Excise and Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that two more cases as mentioned in para no.3 of anticipatory bail application are pending against the petitioner no.2. The learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that no

liquor was recovered from the conscious possession of this petitioner. Further, even the seizure list does not remotely suggested that the part of the place from where the liquor was recovered has been seized. It is further stated that the petitioner has been falsely implicated in the present case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case in it's totality, the petitioner above-named, in the event of his arrest or surrender before the learned court below within a period of ten weeks, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ADJ-II-cum- Special Judge (Excise Act), Samastipur in connection with Hasanpur P.S. Case No. 110 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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