

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28711 of 2021

Arising Out of PS. Case No.-23 Year-2021 Thana- MAJHAULIA District- West Champaran

RAMASHISH MAHTO S/o Late Suresh Mahato Resident of Village-
Bakharia, P.S.- Majhaulia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Smt. Meena Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Majhaulia P.S.
Case No.23 of 2021, registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

132 litres of country made liquor and utensils meant
for manufacturing wine were recovered from a field near NH-
127.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. There is no recovery from the conscious
possession of the petitioner rather 132 litres of country made
liquor and other articles were recovered from a field near NH-
127. The petitioner is not apprehended at the spot. The petitioner



has got no criminal antecedent as stated in para 3 of the bail petition.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Petitioner is agreed to deposit a sum of Rs.30,000/- (rupees thirty thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFS Code PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

In the facts and circumstances of the case, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Majhaulia P.S. Case No.23 of 2021, subject to the conditions:

(1) Laid down under Section 438(2) of the Cr.P.C.

(2) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.



(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(4) The bail bond of the petitioner shall be accepted by learned court below on showing receipt of deposit of Rs.30,000/- (rupees thirty thousand) in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

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