

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34487 of 2020

Arising Out of PS. Case No.-349 Year-2020 Thana- CHAPRA TOWN District- Saran

Rajesh Mahto son of Bharat Mahto, R/o Village- Bara Telpa, P.S.- Chapra
Town, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

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

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-03-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Chapra Town P.S. Case No. 349 of 2020
registered for offence punishable under sections 30(a) and 41 (i)
(ii) of the Bihar Prohibition and Excise Act.

Allegation has been made that 30 literes of liquor has
been recovered beside Adda No. 1. The name of the petitioner
transpired during investigation.

Learned counsel for the petitioner submits that the
petitioner has wrongly been made accused in the present case,
as recovery has been made from the road side, so there is no
question of involvement of the petitioner with the said liquor.

Looking to quantity of liquor and the petitioner has no



criminal history, let the petitioner above named, in event of arrest or surrender before the court below within six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Chapra Town P.S. Case No. 349 of 2020, subject to condition that one of the bailors of the petitioner shall be his close relative. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of his bail and the court below will take decision in accordance with law.

(Shivaji Pandey, J)

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