

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.4846 of 2021

Arising Out of PS. Case No.-132 Year-2020 Thana- HARLAKHI District- Madhubani

ANIT KUMAR SON OF GAURISHANKAR MAHTO RESIDENT OF
VILLAGE- PIPRAUN, P.S- HARLAKHI, DISTRICT-MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav
For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 24-06-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through Video
Conferencing.

The petitioner seeks regular bail in connection with
Harlakhi Police Station Case No. 132 of 2020, registered for the
offence punishable under Sections 272/273/34 of the Indian
Penal Code and Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, as per the First Information, is
that the motorcycle, which was being driven by the petitioner,
was intercepted by the SSB personnel and a total quantity of 69
litres of illicit liquor was recovered and the motorcycle was also
seized.



Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has not committed any offence in the manner alleged. He further submits that the motorcycle in question was borrowed by the petitioner from one Mati Prasad, who is the owner of the motorcycle and there is no First Information Report registered for the theft of the motorcycle in question. He next submits that the petitioner is in custody since 13.08.2020 and charge sheet has been submitted in this case and as such there is no likelihood of the petitioner being abscond or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 13.08.2020, having no criminal antecedent and charge sheet has been submitted in this case, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional Sessions Judge -cum- Special Judge, Excise, Madhubani, in connection with Harlakhi Police Station



Case No. 132 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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