

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5649 of 2021

Arising Out of PS. Case No.-341 Year-2020 Thana- PIPRAKOTHI District- East Champaran

Chhotu Kumar @ Rajababu Kumar, son of Dhrup Mahto Resident of Village-
Mathiya Bariyarpur, P.S.- Piprakothi, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2021 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 Section 30(a) of the Bihar Prohibition & Excise Act.

It is alleged that on receiving secret information that co-accused Dhrup Mahto, Mina Devi, Sudish Kumar



and the petitioner are indulged in making and selling illicit liquor, the house of Dhruv Mahto was raided. From the house, police seized 150 litres of country made liquor and from the field situated behind the house, 400 litres of country made liquor was recovered. The wife of Dhruv Mahto namely Mina Devi was arrested but other accused managed to flee away from the place of seizure.

It is submitted by learned counsel for the petitioner that nothing has been recovered from the conscious possession of the petitioner. The petitioner was not apprehended from the spot and only because he happens to be the son of co-accused, Dhruv Mahto, he has been made accused in this 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-
cum-Special Judge, Excise Act, East Champaran,
Motihari in connection with Piprakothi P.S. Case No. 341
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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