

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24257 of 2021

Arising Out of PS. Case No.-815 Year-2020 Thana- MAJHAULIA District- West Champaran

BADUN MAHATO @ DEVENDRA MAHTO Son of Achchhelal Mahto
Resident of Village - Bakhariya, P.S. - Majhauria, 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 : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Majhauria P.S. Case no. 815 of 2020 instituted for the
offence under Sections 30(a) and 37(c) of the Bihar Prohibition
and Excise Act.

The prosecution case relates to recovery of huge
quantity of mahua liquor from different places in the forest and



bushes.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery. Recovery has been made from an open field of the forest area.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Majhauria P.S. Case no. 815 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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