

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.31347 of 2021**

Arising Out of PS. Case No.-548 Year-2020 Thana- MUZAFFARPUR TOWN District-  
Muzaffarpur

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Jitendra Mahto @ Jitendra Kumar Son Of Late Umesh Mahto R/O Village-  
Old Gudri Bhawani Singh Marg, P.S.- Nagar, District- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jyotsna Rani Mishra, Advocate  
For the Opposite Party/s : Mr. Pranav Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

3      05-04-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 272 and 273 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

It is a case of recovery of about 25 liters of country made Chulai liquor from the adjacent toilet of the house of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that there is no recovery from the conscious or constructive possession of the petitioner and he has no concern



with the said liquor. Petitioner has got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case and considering para-6 of the case diary wherein it has been stated that the said toilet, from where the recovery of illicit liquor has been made, situated within the Govt. land, 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 thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Nagar P.S. Case No. 548 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

Brajesh Kumar/-

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