

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21774 of 2022

Arising Out of PS. Case No.-147 Year-2021 Thana- PAHARPUR District- East Champaran

Bittu Mandal @ Bittu Mahto, Son Of Late Vishwanath Mandal Resident Of
Village - Bhaja Chapra, P.S.- Paharpur, District - East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-09-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 30, 30(a), 33, 34, 36 and 41(i) of the Excise Act.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 2630.360 litres of liquor from a six wheeler truck and further, 2000 litres of spirit from another vehicle and 3400 litres of spirit from the warehouse.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that petitioner was not present at the place of occurrence, as such, nothing was recovered from his conscious possession. It is also submitted that neither the truck, nor the warehouse or the vehicle detailed in the F.I.R. belongs to the petitioner, nor he is driver of the



alleged vehicle. It is next submitted that petitioner came to be implicated based on secret information which is the easiest way to implicate an innocent person when admittedly petitioner is a person with clean antecedent.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Paharpur P. S. Case No.147 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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