

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38976 of 2021**

Arising Out of PS. Case No.-352 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

Ram Prawesh Mahto S/o Dwarika Mahto R/o Village- Ladaura, P.S.- Sadar,
Dsitric- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar
For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 10-02-2022 Heard both the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Sadar P.S. Case No.352 of 2020 instituted for the offences under Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is the owner of the motorcycle. It is alleged that two persons were driving the motorcycle and they ran away seeing the police and thereafter it is stated that 12.750 litres of liquor are said to have been recovered from the motorcycle. Learned counsel submits that the petitioner's motorcycle has been stolen.

Taking into consideration the aforesaid aspect, prima facie, I find that no case under 30(a) of the Excise Act is made



out as against the petitioner and therefore he is entitled for anticipatory bail.

Accordingly, the anticipatory bail to the petitioner is allowed and in the event of arrest, he shall be released on bail subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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