

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46040 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- KHIRHAR District- Madhubani

BIRENDRA MAHTO Son of Thakay Mahto Resident of Village - Pipraur,
P.S.- Harlakhi, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-03-2022 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 273 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of Nepali wine from the two motorcycles.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that said recovered vehicle has no concern with the petitioner. He further submits that no incriminating material has been recovered from the conscious or constructive possession of the petitioner. 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, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Khirhar P.S. Case No. 21 of 2020 corresponding to G.R. No.337 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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