

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41338 of 2022

Arising Out of PS. Case No.-81 Year-2021 Thana- MUSRIGHRARI District- Samastipur

ANIL KUMAR MAHTO @ ANIL KUMAR S/o Ramjee Mahto @ Ramji Mahto R/o village- Salempur, Ward No. 12, P.S.- Musrigharari, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defect(s) if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Musrigharari Police Station Case No. 81 of 2021, lodged under Section 30(a) of the Bihar Prohibition & Excise Amendment Act, 2018.

As per prosecution case, total recovery of 126 litres of foreign liquor has been recovered from the amended hut alleged to be of the petitioner.

Learned counsel for the petitioner submits that the alleged hut though situated on his land but it is basically



abandoned. He further submits that petitioner has not been apprehended from the place of occurrence. His name has been figured in this case by the disclosure of the local villagers. He further submits that petitioner is in custody since 13.05.2022, charge-sheet has already been filed having clean antecedent.

Learned APP for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (rupees thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court No-I, Samastipur, in connection with Musrigharari Police Station Case No. 81 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(A.) The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

(B.) One of the bailor shall be close relative who shall file affidavit before the Court about his relation with the petitioner.



With this observation, the bail application stands
allowed.

(Dr. Anshuman, J)

Ranjeet/-

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