

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46780 of 2022

Arising Out of PS. Case No.-317 Year-2022 Thana- CHANPATIA District- West Champaran

Surenbra Mahto S/O Gharbharan Mahto Resident of village- Garbhuwa Lala
Tola, P.S.- Sirisiya O.P.- District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Chanpatia Sirisiya O.P. P.S. Case no. 317 of 2022 instituted for the offence under Sections 272 & 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 07 liters country made liquor from a bush which is situated behind the house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. It is further submitted that neither the petitioner was arrested on spot nor



any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that petitioner has got two criminal antecedence out of three which are similar in nature.

Having heard learned counsel for the parties and considering the fact that the alleged recovery of liquor is meagre in quantity, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Chanpatia Sirisiya O.P. P.S. Case no. 317 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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