

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67474 of 2021**

Arising Out of PS. Case No.-147 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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KISHAN MAHTO @ KISHAN KUMAR Son of Umesh Mahto Resident of
Village - Kanhauli Bishundatt (Bella Road), P.S.- Mithanpura, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 25-05-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30 (a) of the Bihar
Prohibition & Excise Act.

As per the prosecution case, 8.655 liters of foreign
liquor has been recovered from a Thela.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery. The Thela in question does
not belong to this petitioner. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the



prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Muzaffarpur in connection with Excise case No. 147/2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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