

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34037 of 2023

Arising Out of PS. Case No.-158 Year-2023 Thana- KORHA District- Katihar

ASHOK MAHTO Son of Shib Narayan Mahto Resident of Mohalla - Korha
(Gerabari Bazar), P.S. - Korha (Gerabari), Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

Allegation is of recovery of 16.335 litres of liquor from a newly constructed house of the petitioner.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on secret informant which is the easiest way to implicate someone. It is further submitted that the house was a newly constructed house and no one was staying as such it



appears that someone inimical to the petitioner in order to falsely implicate him kept the liquor in the house.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Korha P.S. Case No. 158 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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