

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40033 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Ranjit Mahto @ Anjit Mahto @ Anarjeet Mahato S/O Lalan Mahto R/O
Village- Ratanpura Bintoli, Ps. Chhapra Muffasil, Dist.Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard Mr. Ashok Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Bajendra Nath Pandey,
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Chhapra Muffassil P.S. Case No. 27 of 2023 registered
under Section 30(a) of the Bihar Prohibition & Excise Act,
2018.

3. The allegation is of recovery of 52 litres of country
made liquor from the bamboo orchard situated behind the house
of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is innocent and he has falsely
been implicated in the case. The alleged recovery of liquor is
from the bamboo orchard situated behind the house of the
petitioner which is an open place and easily accessible to



anyone. Because of the fact that petitioner is having one antecedent under Excise Act, he has been roped in the present case.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of allegation made against the petitioner and the fact that recovery of 52 litres of country made liquor has been made from an open place which is accessible to anyone, the petitioner, above named, is directed to be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional District and Sessions Judge-II-cum-Exclusive Special Excise Court-I, Saran in connection with Chhapra Muffassil P.S. Case No. 27 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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