

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46605 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- PURAINI District- Madhepura

Mantu Sahani @ Mahesh Kumar, Son Of Prahalad Sahni, Resident Of Village
- Puraini, Ward No.09, Police Station - Puraini, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Puraini P.S. Case no. 128 of 2023, registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received by the informant, a raid was conducted and 67.14 litres of liquor was recovered while the petitioner managed to escape.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. Even accepting the allegations levelled in the F.I.R, the alleged place of recovery is an open place not under the exclusive control of this petitioner. He has no criminal antecedent.



5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., no incriminating article having been recovered from the petitioner's possession together with the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Puraini P.S. Case no. 128 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VIIth -cum- Exclusive Special Judge- IInd, Madhepura subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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