

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49435 of 2023

Arising Out of PS. Case No.-306 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

RAVI MAHTO @ KHUSHI S/O MUNDRIKA MAHTO R/O Village-
Dahiyar, P.S- Sasaram (Muffasil), Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Sasaram (M) PS Case No. 306 of 2023 dated 03/06/2023 registered under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the FIR, on 03-06-2023 Police during patrolling duty got a secret information that liquor trader- Shashi Mahto and his associates were selling liquor in the Jinora agricultural field in front of a poultry farm near the canal, arrived at the place of occurrence and upon seeing the Police party, three persons fled away towards canal from the poultry farm and the villagers assembled there disclosed the name of the



persons who fled away as Subash Mahto, Ravi Mahto (i.e. petitioner) and Shashi Mahto. Police recovered 70 liters of illicit liquor from the agricultural field.

4. Learned counsel for the petitioner submits that petitioner has been made accused on the basis of secret information and disclosure of his name by the villagers due to oblique motive. Learned counsel next submits that illicit liquor has not been recovered from the conscious possession of the petitioner but the same has been recovered from an open filed not belonging to the petitioner and the same is accessible to all and sundry.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner and / or premises belonging to him, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 2 cum Additional District



and Sessions Judge, Rohtas at Sasaram in connection with
Sasaram (M) PS Case No. 306 of 2023 subject to the condition
as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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