

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57413 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- SINDHIYA District- Samastipur

Govind Kumar @ Govind Mahto Son Of Ganga Mahto Resident Of Ward
No.4, Singhia, P.S. - Singhia, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Singhia P.S. Case No. 21 of 2023 instituted under Section
30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 734.400 litres of
liquor was recovered from a mango orchard and one motorcycle
was also seized.

4. Learned counsel for the petitioner submits that
motorcycle of the petitioner was borrowed by the co-accused
Chotu Sah, who is his neighbour on the pretext of bringing
medicine. The petitioner has no concern with the recovered
liquor and there is no recovery from the conscious possession of
the petitioner. He further submits that similarly situated co-



accused namely Kanhaiya Kumar Sahu @ Kanhaiya Sahu @ Kanhaiya Sah has been granted anticipatory bail by Coordinate Bench of this Court vide order dated 05.07.2023 in Criminal Miscellaneous No. 41817 of 2023.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge Excise, 1st Samastipur in connection with Singhia P.S. Case No. 21 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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