

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57411 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- HASANPUR District- Samastipur

Sanjay Mahto @ Sanjay Kumar @ Gultain Mahto, aged about 35 years,
Gender-Male, Son Of Late Jagdeo Mahto @ Jagdeo Prasad Singh Resident of
Village -Mauzi Maldah PS -Hasanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarbottam Kumar Sarkar, Advocate
For the State	:	Mr. Tarkeshwar Nath Thakur, 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 arrest in connection
with Hasanpur P.S. Case No. 103 of 2023 instituted under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
22.320 litres illicit foreign liquor from the house of the
petitioner.

4. Learned counsel for the petitioner submits that the
seized liquor does not belong to the petitioner and it was
recovered from the joint family house of the petitioner. The
petitioner has one criminal antecedent due to which he has
been falsely implicated in this case. The petitioner was neither
arrested from the spot nor any article has been recovered from



the conscious possession of the petitioner.

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

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 each to the satisfaction of the learned Special Judge, Excise, 1st Samastipur in Hasanpur P.S. Case No. 103 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

P. Kumar

U		T	
---	--	---	--

