

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57308 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- KOTWA District- East Champaran

Mahesh Dhangar S/O Pannalal Dhangar @ Pannalal Dhangad R/O- Village-
Dipau Dhangar Toli, P.S.- Kotwa, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-08-2023 Heard Mr. Shanti Bhushan Singh, learned counsel
appearing on behalf of the petitioner and Mr. Pradeep Narain
Kumar, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Kotwa P.S. Case No. 155 of 2023, registered under
Sections 272 and 273 of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise Act, 2018.

3. As per the allegation made in the F.I.R., altogether
10 litres of country made liquor packed in pouches recovered
from 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 this case. He further submits that petitioner has no concern with the alleged recovered liquor. Learned counsel further submits that petitioner has clean antecedent.

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 as well as the total quantity of liquor which has been recovered is only 10 litres, I am of the opinion that petitioner has made out a, *prima facie*, case to be released on anticipatory bail.

7. The Court below is directed to release the petitioner 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. 25,000/- (Rs. Twenty Five thousand) with two sureties of the like amount each, to the satisfaction of learned Exclusive Special Excise Court No. 1, East Champaran, Motihari in connection with Kotwa P.S. Case No. 155 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner



is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

manish/-

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

