

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56865 of 2023

Arising Out of PS. Case No.-440 Year-2023 Thana- CHANPATIA District- West Champaran

Suraj Mahto @ Suraj Kumar, aged about 25 years, Gender (Male) Son of
Harendra Maho, Resident of Village- Garbhuwa Lala Tola, P.S- Sirisiya O.P.,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate
For the State : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection
with Chanpatiya (Sirisiya O.P.) P.S. Case No. 440 of 2023
dated 12.07.2023 instituted under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 10
pieces of whisky containing 180 ml. each in total 1.8 litres and
5 litres of country made chulai wine and on fleeing away from
the spot, the petitioner has been identified by the local
Chowkidar.

4. Learned counsel for the petitioner submits that no
incriminating article has been recovered from the possession of



the petitioner and the alleged recovery was made from the joint house of the petitioner. The petitioner has no concerned with the recovered article and has falsely been implicated also in two criminal cases.

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 Exclusive Special Judge Excise, Bettiah, West Champaran in Chanpatiya (Sirisiya O.P.) P.S. Case No. 440 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

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