

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57864 of 2023

Arising Out of PS. Case No.-116 Year-2023 Thana- MUSRIGHRARI District- Samastipur

Vishun Mahto @ Vishun Kumar Son Of Nirdhan Mahto R/O Vill - Salempur,
Ward No. 12, P.S. - Musrigharari, Distt. - Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioner apprehends his arrest in
connection with Musarigharari P.S.Case No. 116 of 2023
instituted under Section 30(a) of Bihar Prohibition & Excise
Act.

3. As per the prosecution case, total 179.280 liters
foreign liquor was recovered from the house of co-accused
Indrajeet Kumar @ Amarjeet Kumar. Allegation against the
petitioner is that he fled away from the spot.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case due to



three criminal antecedents. The petitioner has no concern either with the seized liquor or the place of seizure. Nothing incriminating material has been recovered from conscious possession of the petitioner.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of his 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, Samastipur in connection with Musarigharari P.S.Case No. 116 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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