

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66772 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- Excise P.S. District- Samastipur

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AMARJEET MAHTO @ AMARJIT KUMAR MAHTO S/O VAKIL
MAHTO R/O VILLAGE- HAWASPUR, WARD NO. 11, P.S- PATORY,
DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, 7.350 litres of illicit liquor
has been recovered from the half-constructed house of the
petitioner.

4. Learned counsel for the petitioner submits that the
alleged recovery has been made from a half constructed house
which is in abandoned condition and accessible to all. No
incriminating material has been recovered from the conscious
possession of the petitioner or from his residential house.
Petitioner claims clean antecedent.



5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise)- 02, Samastipur in connection with Excise P. S. Patori (Samastipur) Case No. 47 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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