

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69997 of 2023

Arising Out of PS. Case No.-270 Year-2023 Thana- WARISNAGAR District- Samastipur

Vijay Mahto @ Vijay Kumar Mahto @ Vijay Kumar Son of Somar Mahto
Vill-Ramnagar Sari Mathurapur PS-Warasnagar Dist-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-11-2023 Heard Mr. Jitendra Narain Sinha, learned counsel
appearing on behalf of the petitioner and Ms. Sangeeta Sharma,
learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with Warasnagar P.S.Case No.270 of 2023, registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise Act, 2022 (Amended).

3. Prosecution story in short is that the police caught hold co-accused Vikas Kumar @ Bittu along with 750 ml. of Indian made foreign liquor, who disclosed the name of the petitioner as the supplier of the liquor.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is not involved in the alleged occurrence and his name has transpired only on the basis of concessional statement of the co-accused. Petitioner is involved



in two other cases, both under the Excise Act.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties and considering the nature of allegation of recovery of 750 ml. of indian made foreign liquor, the petitioner, above named, is directed to be released on pre-arrest 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.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the court of Special Judge Excise -02, Samastipur in connection with Warisnagar P.S. Case No.270 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The learned 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 lose its force.

(Purnendu Singh, J)

chn/-

U			
---	--	--	--

