

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6979 of 2024

Arising Out of PS. Case No.-1573 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

Vipin Mahto @ Bipin Singh Son of Ram Govind Mahto R/o vill - Dahiyar
(Rampur), P.O. - Karwandiya, P.S. - Sasaram (Muffasil), Distt. - Rohtas
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a), 34
and 38 of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

4. Allegation is of recovery of 250 litres of liquor
from the bank of Kaw River.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which is accessible to public at large as
such it cannot be alleged with certainty that it was the petitioner
who had kept the liquor when there is no eyewitness to the



occurrence. It is further submitted that petitioner came to be implicated based on secret information which is the easiest way to implicate someone.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sasaram (M) P.S. Case No. 1573 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

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

