

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10068 of 2024

Arising Out of PS. Case No.-295 Year-2018 Thana- AGAMKUAN District- Patna

Vicky Kumar @ Vicky Mahto S/O- Ramji Mahto @ Ram Jeevan Mahto R/O-
Chhoti Pahari, P.S.- Agamkuan, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Priyanka Singh

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Agamkuan P.S. Case No. 295/2018 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 20 liters country made Mahua wine was recovered from cow shed of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case due to village politics. Petitioner bears no criminal antecedent. He further submits that the petitioner was not concerned with the seized liquor. The said liquor was recovered from open place



and the same was accessible to all. The petitioner is not in any way connected with the alleged occurrence. In the light of aforesaid submission, no offence is made out against the petitioner in the aforesaid section.

5. The 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, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City, Distt.-Patna in connection with Agamkuan P.S. Case No. 295/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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