

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9771 of 2024

Arising Out of PS. Case No.-836 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Rajan Mahto S/O Rameshwar Mahto Village- Sadha, Ps. Chapra Muffasil,
Distt. Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Advocate

For the Opposite Party/s : Md. Iftexhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

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

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 80 liters of liquor from an E-rickshaw.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and is not the owner of the seized vehicle and he
came to be implicated based on confessional statement of
apprehended accused in police custody which does not have any
evidentiary value.

5. The learned APP for the State opposes the



anticipatory bail application.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Chapra Muffasil P.S. Case No.836 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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