

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14455 of 2024

Arising Out of PS. Case No.-76 Year-2023 Thana- Excise P.S. District- Samastipur

Hariom Singh @ Hariom Mahto @ Hari Om Mahto S/o Late Bindeshwari
Mahto R/o vill - Pandh Pandev Asthan, P.s.- Dalsinghsarai, Distt. -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mirtyunjay Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-03-2024 1. 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
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 351 liters of liquor from a Bolero Pick up.

4. It is next submitted that petitioners were not
arrested from the spot as such nothing was recovered from the
conscious possession and he is neither the owner nor the driver
of the alleged seized vehicle and he came to implicated based on
secret information which is the easiest way to implicate



someone. It is also submitted that it appears that the police in order to save the real culprits falsely implicated the petitioner, when petitioner admittedly is a person with clean antecedent.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge No.2, Samastipur in connection with Excise Patori (Samastipur) P.S. Case No.76 of 2023, 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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