

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13153 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- NAYAGAON District- Saran

Devnath Mahto Son of Rameshwar Mahto R/o Village - Sahebpur
Dumaribujurg, P.S. - Nayagaon, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2024 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases.

4. Allegation is of recovery of 115 litres of liquor
from a place near Diara.

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
and does not belong to the petitioner and he came to be
implicated at the instance of the local people but then the name



of the person who disclosed the name of the petitioner is not recorded in the FIR which casts as aspersion on the case of the prosecution.

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.10,000/- (Rupees Ten 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 Nayagaon P.S. Case No. 182 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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