

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32540 of 2024**

Arising Out of PS. Case No.-360 Year-2023 Thana- DORIGANJ District- Saran

Pappu Mahto Son of Harendra Mahto Resident of Village - Mahaddipur,  
Bhairapur Nizamat, Police Station - Doriganj, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mili Kumari, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      26-04-2024                      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 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 34.56 liters of liquor from a Swift Dezire Vehicle.

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 at the instance of local person. It is also  
submitted that if local person was aware of the involvement of  
the petitioner in the occurrence then why he did not inform the  
police prior to institution of the instant FIR, which cast an



aspersion on the case of the prosecution.

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 3<sup>rd</sup> Exclusive Special Excise Judge, Saran at Chapra in connection with Doriganj P.S. Case No.360 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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