

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42971 of 2024

Arising Out of PS. Case No.-260 Year-2024 Thana- MASHRAK District- Saran

Ram Pravesh Mahto son of Wakil Mahto Vill- Hansapper Ps- Mashrakh Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Mashrakh P.S. Case No. 260 of 2024 instituted under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, 20 litres of illicit liquor was recovered from the under-constructed house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case due to two criminal antecedent. He further submits that the recovery is made from the under-constructed house where the petitioner is not residing. Learned counsel submits that the petitioner was not present at the time of recovery and nothing



has been found from the conscious possession of the petitioner.
The petitioner undertakes to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned 02nd Exclusive Special Excise Judge, Saran at Chapra / Concerned Trial Court in connection with Mashrakh P.S. Case No. 260 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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