

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46110 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- Excise P.S. District- Siwan

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Bhola Mahto @ Bhola Prasad S/O Jaglal Mahto R/O Vill -Ratan Parauli,
Banwari Tola, P.S. - Bhagwanpur Hat, Dist - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Maharajganj Excise P.S. Case No. 52 of 2024 instituted for
the offences under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. Prosecution case, in short, is that total 77.76 litres of
Indian made Foreign Liquor has been recovered from the
motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating article has been recovered from
the conscious possession of the petitioner. Petitioner is not the



owner of the motorcycle from which alleged recovery has been made. Petitioner has got no concern with the alleged recovery of illicit liquor. There is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maharajganj Excise P.S. Case No. 52 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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