

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51977 of 2024**

Arising Out of PS. Case No.-1 Year-2022 Thana- Excise P.S. District- Sitamarhi

Jay Narayan Mahto SON OF THAGA MAHTO VILLAGE- BHUPBHAIRO,  
PS- SITAMARHI DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      21-09-2024                      Heard Learned Counsel for the petitioners and  
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No.01 of 2022, registered for the offences punishable under Sections 30(a) and 32(1) of Bihar Prohibition Excise Act-2018.

3. As per the prosecution, 37.5 litre of Nepali liquor has been the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is the owner of the tempo and the driver was used to drive the tempo. Counsel submits that his antecedent is clean and it is the driver who is responsible for the same and the petitioner being owner of the tempo became an accused in this case.



5. Learned Counsel for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, the petitioner, above named, are directed to be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.30,000/- (Thirty Thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, Exclusive Excise Court-02, Sitamarhi in connection with Excise P.S. Case No.01 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Ankit Kumar/-

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