

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54272 of 2024

Arising Out of PS. Case No.-428 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

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Sujeet @ Sukhla @ Sanjeet Mahto, Son of Birju @ Birju Mahto, Resident of
Village- Chaksalem Mushhari Tole, PS- Shahpur Patori, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar Roy, Advocate Mr. Brajesh Kr. Pandey, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Shahpur Patori P.S. Case no. 428 of 2023 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, co-accused Birju Mahto was caught and 80 litres of country liquor was recovered from his house. It is stated that he disclosed that he along with the petitioner are involved in the sale of liquor.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The only material against him is the statement of co-accused made before police. The petitioner has no antecedent under the Bihar



Prohibition and Excise Act, 2016.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R., no incriminating article having been recovered from the petitioner’s possession, the name of the petitioner transpiring in the statement of co-accused made before police and especially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Shahpur Patori P.S. Case no. 428 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court Excise-2, Samastipur.

(Partha Sarthy, J)

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