

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62273 of 2024

Arising Out of PS. Case No.-183 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Mantu Yadav @ Mantu Rai Son of Ramayan Rai @ Ramayan Prasad Yadav
Resident of Village - Allepur, P.S.- Baikunthpur, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer Jha
For the Opposite Party/s : Mr. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2024 1. Heard learned counsel for the petitioner and
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 & Excise Amendment Act, 2022.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of seven cases and allegation is of recovery of 7.2 liters of liquor from a sack allegedly thrown by the petitioner.

4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner nor he has any concern with the



sack and he came to be implicated at the instance of *Chowkidar*. It is also submitted that police in majority of the case implicates accused persons either at the instance of *Chowkidar*, local people, secret information or confessional statement in a mechanical manner without holding a proper investigation.

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. 35,000 /- (Rupees Thirty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-XIII-cum-Spl. Excise Court No. 1, Gopalganj in connection with Baikunthpur P.S. Case No. 183 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J.)

Sudhanshu/-

U		T	
---	--	---	--

