

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69069 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- MADHEPUR District- Madhubani

Sawan Kishor @ Sawan Kumar, Son of Lalit Mahto @ Shyam Sundar Mahto,
Resident of Village- Bhith Bhagwanpur Navtoliya, P.S.- Madhepur, Dist-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2.The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Madhepur P.S. Case No.40 of 2024
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act.

3. The case of the prosecution is that two persons
were coming on a bike. The police had the information
that they were carrying liquor. When they were intercepted
by the police, the driver managed to escape with bike. One
Krishn Kumar Mahto was apprehended and from his
possession, 5.250 liters of foreign liquor was recovered and



he disclosed the name of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no any concerned with the alleged liquor and apprehended co-accused person. Neither the petitioner was apprehended on the spot nor any incriminating article has been recovered from his conscious possession.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner and submitted that petitioner is having one criminal antecedent.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Madhepur P.S. Case No. 40 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge,



Excise Act, Jhanjharpur, subject to the conditions as laid down under section 438(2) of the Cr.P.C. with a condition:-

- 1. That the petitioner shall not indulge in similar nature of the offence in future.

(Ashok Kumar Pandey, J)

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