

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66059 of 2024

Arising Out of PS. Case No.-228 Year-2024 Thana- TILAUTHU District- Rohtas

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Santosh Mahto @ Santosh Kumar Son of Awadhesh Mahto @ Awdesh
Resident of Village - Kodar, P.S. - Tilauthu, District - Rohtas. At present -
Resident of Babuganj Tilauthu, P.S. - Tilauthu, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

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

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Tilauthu P.S.
Case No. 228 of 2024, registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 20 liters
liquor was recovered from bush near the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner further
submits that the petitioner was not present at the place of
occurrence. The alleged recovery has been made from an open



place which is easily accessible to public at large. The petitioner has got one criminal antecedent in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

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

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tilauthu P.S. Case No. 228 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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