

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73574 of 2024

Arising Out of PS. Case No.-323 Year-2024 Thana- BIRAUL District- Darbhanga

Lalit Mahto S/O Late Ram Awtar Mahto R/O Village - Supaul Bazar,
Pasikhana, P. S.- Biraul, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-11-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Biraul P.S. Case no. 323 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation in the F.I.R, on information having been received about the petitioner involved in the sale of liquor, a raid was conducted. It is stated that while the petitioner managed to escape, on search of his house 23.32 litres of foreign liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from the petitioner's



possession or from his house. He has no concern either with the seized article nor with the place of seizure. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R. the submissions made and specially the petitioner not having any criminal 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 Biraul P.S. Case no. 323 of 2024 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 Judge-II (Excise Act), Darbhanga.

(Partha Sarthy, J)

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