

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78615 of 2024

Arising Out of PS. Case No.-194 Year-2022 Thana- SAHIYARA District- Sitamarhi

Arvind Kumar Son of Pragas Mahto @ Ram Prakash Mahto R/O-Village -
Sarsaoula Khurd @Sarsaula Khurd P. S. - Sheohar Dist. - Sheohar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-11-2024 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 Sahiyara P.S. Case no. 194 of 2022 instituted for the offence under Sections 30 (a) of the Bihar Prohibition and Excise Act.

3. The prosecution case is that from a bike altogether 30 liters of Nepali Saufi Liquor was recovered. No body was apprehended. It is alleged that the petitioner is the owner of the bike.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. During the course of



argument, it has been submitted that though the petitioner is the owner of the bike, he has transferred the bike to one Surendra Sah. Nothing has been recovered from the conscious possession of the petitioner and the petitioner is having no criminal antecedent.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

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 Sahiyara P.S. Case no.194 of 2022, 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 Exclusive Special Excise Court- I, Sitamarhi, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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