

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85625 of 2024

Arising Out of PS. Case No.-262 Year-2024 Thana- SIMRI District- Darbhanga

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Amarjit Kumar Mahto @ Amarjit Mahto @ Amrjit Kumar Mahto, S/O
Shivnarayna Mahto @ Shiv Narayan Mahto, Resident of Village - Kanshi,
Police Station - Simri, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubham Sourav, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and Mr. Rana
Randhir Singh, learned APP for the State.

2.The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Simri P.S. Case No. 262 of 2024 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that behind
Brahamasthan in the bushes altogether 47 liters of country made
liquor was recovered.

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 concern with the alleged liquor. Nothing has



been recovered from his possession. The seizure has been made from an open place. The witnesses of seizure list are members of the raiding party.

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

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 Simri P.S. Case No. 262 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 Exclusive Special Excise Judge No.II, Darbhanga, subject to the conditions as laid down under section 438(2) of the Cr.P.C. with **a condition that he will not indulge in similar nature of cases in future.**

(Ashok Kumar Pandey, J)

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