

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85600 of 2024

Arising Out of PS. Case No.-558 Year-2024 Thana- MADHAURAH District- Saran

Madan Mahto @ Madan Prasad Son of Late Nagina Mahto Resident of
Village- Repura, P.S.- Marhowrah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and Mr.
Nitya Nand Tiwary, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Marhowrah P.S. Case No. 558 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 near Repura River, from a bamboo shrubs, altogether 25 liters of country made liquor was recovered. It is also alleged that the petitioner along with others managed to escape.

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. It has also been submitted that nothing has been recovered from conscious possession of this petitioner and the raid was made from an open place.

5. In contra, learned APP appearing for the State opposes 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 Marhowrah P.S. Case No. 558 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 2nd Exclusive Special Excise Judge, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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