

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6072 of 2025

Arising Out of PS. Case No.-269 Year-2024 Thana- BANJARIA District- East Champaran

Vishhkarma Mahto @ Vishwakarma Mahto @ Bishwakarma Mahto Son of
Late Khublal Mahato Resident of village- Chailahan Lala Tola (Dhagar Toli),
PS- Banjariya, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-02-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Banjariya P.S. Case no.269 of 2024 registered for the offence punishable under sections 274 and 275 of the Bharatiya Nyaya Sanhita, 2023 and sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 20 litres of country liquor was recovered from the house of the petitioner, however, the petitioner managed to escape.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's house or his possession and he has been falsely implicated in the



case. Referring to the seizure list enclosed with the FIR, it is submitted that description of the place of seizure does not state that it is from the house of the petitioner. The petitioner has no criminal antecedent.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR and specially the petitioner not having any 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 Banjariya P.S. Case no.269 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 Special Judge, Excise Court no.1, East Champaran, Motihari.

(Partha Sarthy, J)

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