

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32836 of 2025

Arising Out of PS. Case No.-349 Year-2020 Thana- Excise P.S. District- East Champaran

Kavindra Kumar Birendra Kumar Mahto @ Virendra Mahto, R/o Vill-
Mathiya Bariyarpur, Panditpur, P.S.- Pipra Kothi, Distt- East Champaran.

... .. Petitioner/s

Versus

The state of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Excise P.S. Case No.349 of 2020 instituted under Sections
30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 35
liter spirit from the bamboo orchard situated back side of the
house of petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case merely on the basis of suspicion. He further submits that
petitioner has no concern with the said bamboo orchard and he
is not involved in manufacturing or selling of the illicit liquor.
Learned counsel submits that petitioner has no criminal



antecedent and under he undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Court No.2, East Champaran at Motihari in connection with Excise P.S. Case No.349 of 2020, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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