

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90208 of 2024

Arising Out of PS. Case No.-240 Year-2024 Thana- PANDAUL District- Madhubani

Munesh Mahto @ Munesh Kumar Mahto S/O Late Kusheshwar Mahto R/o
village - Pachwaritol Pandaul , P.S.- Pandaul , District – Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash
Mr. Rajesh Kumar
Mr. Vinod Kumar
Mr. Gagan Deo Yadav

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-01-2025 1. Heard the parties.
2. The petitioner apprehends his arrest in connection with Pandaul P.S. Case No. 240 of 2024 dated 24.10.2024 registered under Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act, 2022.
3. As per the first information report a total quantity of 55 liters of country made chulai liquor has been recovered from bamboo clump and mango orchard and three persons escaped from the place of occurrence including the petitioner- Munesh Mahto @ Munesh Kumar Mahto. The accused persons were



identified by local Chaukidar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence in the manner alleged. He submits that no incriminating article and / or illicit liquor has been recovered from the conscious possession or premises belonging to the petitioner. The petitioner name has surfaced on the basis of disclosure made by local Chaukidar with whom the petitioner is having inimical terms. He further submits that illicit liquor has been recovered from bamboo clump and mango orchard, which is an open space easily accessible to all and sundry.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that illicit liquor has been recovered from an open space accessible to everyone, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge- IInd cum



Special Judge Excise Act, Madhubani in connection with
Pandaul P.S. Case No. 240 of 2024 subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

