

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6139 of 2022**

Arising Out of PS. Case No.-295 Year-2021 Thana- BASOPATTI District- Madhubani

VINAY MAHTO @ VINAY KUMAR MAHTO Son of Kari Mahto @  
Ramnath Mahto Resident of Village- Basopatti, Ward No. -9, Police Station -  
Basopatti, Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Akbar Ali, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      01-07-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 135 litres of liquor from the house of co-accused Mukesh Raut.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession nor the alleged



recovery is from the house of the petitioner, it is next submitted that his name transpired in the confessional statement of Mukesh Raut which has no evidentiary value.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Basopatti P.S. Case No. 295 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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