

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12177 of 2022

Arising Out of PS. Case No.-486 Year-2021 Thana- BASANTPUR District- Siwan

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1. JHAGRU MAHTO Son of Late Jagdish Mahto
 2. SUNIL MAHTO SON OF LATE VISHWANATH MAHTO
 3. UMESH MAHTO SON OF AMARNATH MAHTO
- Petitioner/s
- Versus
- The State of Bihar
- Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-07-2022 Heard learned counsel for the petitioner no. 2 and 3

and learned A.P.P. for the State through the virtual Court
proceedings.

By order dated 20.05.2022, the prayer for anticipatory
bail of petitioner no. 1 has already been dismissed as withdrawn.

Learned counsel for the petitioners submits that
during the pendency of the anticipatory bail application,
petitioner no. 3 has been arrested, thus, seeks permission to
withdraw his prayer for anticipatory bail.

Permission is accorded.

Let the defect(s), if any, be removed within a period
of four weeks.

Heard learned counsel for the petitioner no. 2 and



learned A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioner no. 2 apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 35 litres of liquor from the house of Jhagru Mahto.

Submission is that petitioner no. 2 was not arrested from the spot, as such, nothing was recovered from his conscious possession nor the alleged recovery is from a place which belongs to the petitioner. Petitioner no. 2 has got no criminal antecedent.

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

Considering the submissions aforesaid, let the petitioner no. 2 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 Basantpur P.S. Case No. 486 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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