

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21200 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- DAGARUA District- Purnia

SHOBHA MAHTO @ SUVASH MAHTO S/o Late Chander Mahto @ Ram
Chandar Mahto R/o village- Nonia Tola Dagarwa Ward No. 3, P.S.- Dagarwa,
District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-06-2022 Learned counsel for the petitioner seeks permission to
make necessary correction in para 1 of the anticipatory bail
application in course of the day.

Permission is accorded.

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, 273
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has antecedent of one case.

Allegation is of recovery of five litres of liquor from
the courtyard of the house of the petitioner.



Learned counsel for the petitioner further submits that the house is a joint family property and petitioner was not apprehended from the spot, as such, nothing was recovered from his conscious possession. Since the house is a joint family property, as such, it cannot be alleged that it was the petitioner who had kept the liquor in the house.

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 and the nature of allegation of recovery, 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 Dagarua P.S. Case No. 08 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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