

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30543 of 2022**

Arising Out of PS. Case No.-354 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Siwan

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1. BASHISHTH MAHTO SON OF LATE SHEOBALAK @ SHEOBALAK MAHTO R/O VILLAGE- UKHAI, PURAB PATTI, P.S.- SARAI, DISTRICT- SIWAN
  2. ASHOK MAHTO SON OF PARMESHWAR MAHTO R/O VILLAGE- UKHAI, PURAB PATTI, P.S.- SARAI, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Raghav Prasad, Advocate

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

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

2      12-08-2022                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 2200 kg java jaggery which was destroyed at the spot.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next



submitted that from perusal of the allegation as alleged in the F.I.R. it would manifest that the alleged recovery was from a place which does not belong to the petitioner and is accessible to public at large and the petitioner came to be implicated based on secret information which is the easiest way to implicate an innocent person in order to save the real culprits.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Complaint Case No. C-III-354 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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