

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31391 of 2022

Arising Out of PS. Case No.-52 Year-2022 Thana- WARISLIGANJ District- Nawada

1. MANIK CHAND PRASAD @ MANIK CHANDR MAHTO @ MANIK CHNDRA MAHTO S/o Dhano Mahto
2. Satish Kumar S/o Manik Chand Prasad @ Manik Chandra Mahto
Both are Resident of Village - Baghi Bardiha, P.S. - Warisaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate
For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent.

Allegation is of recovery of 20 litres of liquor from the bamboo clump of Chandeshwar Mahto and 4.875 litres of liquor from the field of Kapil Mahto.

Learned counsel for the petitioners further submits that petitioners have been falsely implicated in the present case. It is submitted that petitioners were not apprehended from the



spot, as such, nothing was recovered from their conscious possession and they came to be implicated on the ground that the alleged liquor was kept by them at the place of occurrence.

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 and the fact that nothing was recovered from their conscious possession, 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 Warisaliganj P.S. Case No. 52 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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