

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32209 of 2022**

Arising Out of PS. Case No.-35 Year-2021 Thana- BIRUPUR District- Lakhisarai

RAJIV MAHTO @ RAJIV KUMAR S/o Ramotar Mahto Resident of Village-  
Belaury Mafo, P.S.- Mehus, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                      |
|----------------------------|--------------------------------------|
| For the Petitioner/s :     | Mr. Rajan, Advocate                  |
|                            | Mr. Parmanand Pd. Nr. Sahi, Advocate |
| For the Opposite Party/s : | Mr. Gauri Shankar Gupta, A.P.P.      |

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

2      17-08-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

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

The petitioner apprehends his arrest in a case  
registered for the offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent.

Allegation is of recovery of 2 litre of liquor from a  
Scorpio.

Learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession and he came to be



implicated based on the fact that he is the owner of the Scorpio. He further submits that petitioner was completely unaware that the driver of the Scorpio would mislead the same for such an illegal purpose.

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.500/- (Rupees Five Hundred) 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 Birupur P.S. Case No. 35 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Kundan/-

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