

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35848 of 2022

Arising Out of PS. Case No.-13 Year-2021 Thana- CHAKAI District- Jamui

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MITAN MANDAL S/O BUDHAN MANDAL Resident of Kataharatand
Tola, P.S.- Sono, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Singh, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-08-2022 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 and 273 of the Indian Penal Code and 30(a), 41 and 30(c) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 11.500 litre of liquor and 50 Kg Jawa Mahuwa from a plastic sack kept on a motorcycle, further 7.875 litre of liquor and 50 Kg of Jawa Mahuwa from a plastic sack kept on another motorcycle and both the motorcycles were found near the Jogiya village road.

Learned counsel for the petitioner submits that the



petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner came to be implicated as he is owner of one of the motorcycles i.e., Passion Pro motorcycle, it is next submitted that petitioner had given the motorcycle to his friend and as such he was completely unaware that the same would be misused for carrying liquor without his knowledge.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chakai P.S. Case No. 13 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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