

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41636 of 2022

Arising Out of PS. Case No.-378 Year-2021 Thana- MANIYARI District- Muzaffarpur

1. RAM BABU MAHTO S/O BHAJAN MAHTO Resident of Village- Jamharua, P.S.- Maniyari, District- Muzaffarpur.
2. LALITA DEVI W/O DHANESHWAR MAHTO @ DHANESAR MAHTO Resident of Village- Jamharua, P.S.- Maniyari, District- Muzaffarpur.
3. DHANESHWAR MAHTO @ DHANESAR MAHTO S/O RAM BABU MAHTO Resident of Village- Jamharua, P.S.- Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2022 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 272, 273 and 34 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent, petitioner no.2 is a lady and allegation is of recovery of 23 litres of liquor from the house of the petitioners.

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 the alleged recovery was made from the house of co-accused Jaleshwar Mahto who is living separately from the petitioners in the adjacent house and the petitioners came to be implicated as they are his relatives.

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. 5,000/- (Rupees Five 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 Maniyari P.S. Case No. 378 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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