

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47944 of 2022

Arising Out of PS. Case No.-761 Year-2020 Thana- DEHRI TOWN District- Rohtas

AKHILESH MAHTO @ AKHILESHWAR SINGH Son of Late Kanhai Mahto @ Late Kanhaiya Singh Resident of Village - Mathuri, P.s.- Dehri Town, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-09-2022 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 Section 30(a) 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 40 litres of liquor from the house of petitioner and 15 litres liquor from a place near Harhi government boring.

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 the place from where the liquor was recovered



though belongs to the petitioner but the petitioner does not stay there and he has given the said room to one Alok Kumar on rent as would be evident from Annexure '2' to the anticipatory bail application. It is further submitted that the police in a mechanical manner has implicated the petitioner without investigating the case in its correct perspective.

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. 1,000/- (Rupees One Thousand) 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 Dehri Town P.S. Case No. 761 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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