

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49643 of 2022**

Arising Out of PS. Case No.-44 Year-2020 Thana- SIKTI District- Araria

1. PAWAN MAHTO @ PAVAN MAHTO Son of Paro Mahto Resident of Village Bind Tola, Dhapri, Ward No. 2, Post Balua Kaliyagunj, Balua, P.S.- Palasi, Araria, Bihar- -854333.
2. SATRUGAN MAHATO @ CHHOTU Son of Prem Lal Singh @ Prem Lal Mahto Resident of Village Bind Tola, Dhapri, Ward No. 2, Post Balua Kaliyagunj, Balua, P.S.- Palasi, Araria, Bihar- -854333.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Advocate  
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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

2      20-09-2022                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

Learned counsel for the petitioners seeks permission  
to withdraw the present anticipatory bail application with  
respect to petitioner no.1.

Permission is accorded.

The petitioner no.2 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 53.1 litres liquor near Domra Road at village Khan



Tola.

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 name of the petitioner transpired in the confessional statement of co-accused which has no evidentiary value.

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 no.2, 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 Sikty P.S. Case No. 44 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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