

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51232 of 2022

Arising Out of PS. Case No.-58 Year-2022 Thana- PIPRAHI District- Sheohar

SUNIL MAHTO S/o Shri Jainarayan Mahto R/o village- Harpur, P.S.-
Piprahi, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State, Shri Chandra Bhushan Prasad.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 30(d) 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 105 litres semi-prepared liquor from a place adjacent to the house of petitioner i.e., near Bagmati river and 120 litres semi-prepared liquor from a place adjacent to the house of Vijay Mahto situated at the same place.

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 even the recovery is from a place which does not belong to the petitioner and he came to be implicated merely because the place of recovery is adjacent to this house.

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 Piprahi P.S. Case No. 58 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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