

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51375 of 2022

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

VIJAY MAHTO S/O LATE SHRI ANUP MAHTO Resident of 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.Rabindra Kumar, 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 Rabindra Kumar through virtual Court
proceedings.

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 has antecedent of one case and allegation is of
recovery of 105 litres semi-prepared liquor from a place
adjacent to the house of one Sunil Mahto i.e., near Bagmati river
and 120 litres semi-prepared liquor from a place adjacent to the
house of petitioner 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. 10,000/- (Rupees Ten 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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