

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59300 of 2022**

Arising Out of PS. Case No.-328 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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1. SANJEEV MAHTO @ SANJEEV KUMAR MAHTO S/O SATYANARAYAN MAHTO @ SATTO MAHTO Resident of Village- Budhanagar Colony, Ward No- 29, P.S.- Town, District- Madhubani.
 2. SATYANARAYAN MAHTO @ SATTO MAHTO S/O LATE SHIVJEE MAHTO Resident of Village- Budhanagar Colony, Ward No- 29, P.S.- Town, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate
For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

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

2 15-11-2022 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 341, 323, 353 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 and allegation is of recovery of six litres liquor from a plastic sack found outside the house of petitioner no.1 and 600 ml liquor from the shop of Babita Devi.



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 petitioners have no concern with the place from where the alleged recovery is said to have been made.

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. 1,000/- (Rupees One 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 Town P.S. Case No. 328 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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