

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64704 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- JHANJHARPUR District- Madhubani

Md. Mumtaz @ Mumtaz Nat Son Of Md. Sadique @ Late Sadique Nat R/O
Vill.- Islampur, Nagar Panchayat Ward No. 11, P.S.- Jhanjharpur, Distt.-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner has antecedent of four cases and allegation is of recovery of 730.350 litres liquor from the filed of one Md. Bhaglu.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is further



submitted that even the alleged recovery is from a place which does not belong to the petitioner and he came to be implicated at the instance of local people but then the FIR does not disclose name of any local people who disclosed the name of the petitioner, it is also submitted that the police got him implicated because of his antecedents.

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. 25,000/- (Rupees Twenty Five 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 Jhanjharpur P.S. Case No. 274 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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