

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65256 of 2022

Arising Out of PS. Case No.-371 Year-2022 Thana- PAROO District- Muzaffarpur

1. ANITA DEVI Wife of Anil Mahto Resident of Village - Mohjamma, P.S.- Paroo, District - Muzaffarpur.
2. Anil Mahto Son of Prabhu Mahto Resident of Village - Mohjamma, P.S.- Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a), 31, 32, 33 and 41(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent, petitioner no. 1 is a woman and allegation is of recovery of 2 liters liquor from Akshay Kumar's house along with jaggery solution which was destroyed at the spot and 10 liters liquor from the house of Sunita Devi.

Learned counsel for the petitioners submits that



petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and they came to be implicated based on the confessional statement of Gita Devi in police custody which does not have any evidentiary value, it is also submitted that even the alleged recovery is from a place which does not belong to the petitioners.

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 trial court 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 trial court where the case is pending/successor court in connection with Paroo P.S. Case No. 371 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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