

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70508 of 2022

Arising Out of PS. Case No.-602 Year-2021 Thana- MASHRAK District- Saran

-
1. RAHUL KUMAR @ RAHUL MAHTO Son of Surendra Mahto Resident of Village - Kawalpura, P.S.- Mashrak, District - Saran at Chapra.
 2. Dharmendra Mahto Son of Surendra Mahto Resident of Village - Kawalpura, P.S.- Mashrak, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2022 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 30, 30(a) and 41 of the Bihar Excise Act.

Learned counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case and allegation is of recovery of 52.5 liters of liquor from a Tata Indigo Car.

Learned counsel for the petitioners submits that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession, it is also submitted that petitioners were neither the owner nor the driver of the alleged vehicle and they came to be implicated at the instance of



co-accused Rakesh Kumar.

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. 10,000/- (Rupees Ten 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 Mashrak P.S. Case No. 602 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned Trial Court before accepting the bail bonds shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioner no. 1 has antecedent of even a single case and petitioner no. 2 has antecedent of more than 1 case then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

