

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17061 of 2023

Arising Out of PS. Case No.-163 Year-2021 Thana- KALUAHI District- Madhubani

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ARUN MAHTO S/O RAM NARAYAN MAHTO R/o village and P.S.-
Kaluahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 72 liters of liquor from a motorcycle and two accused were arrested.

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 petitioner is owner of the motorcycle and came to



be implicated, it is further submitted that no prudent person would misuse his own vehicle for committing a crime and thus would get implicated easily, when admittedly petitioner is a person with clean antecedent.

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 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) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kaluahi P.S. Case No. 163 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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