

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 15697 of 2023

Arising Out of PS. Case No.-531 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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RAJESH MAHTO @ RAKESH MAHTO SON OF BAGAD MAHTO R/O
VILLAGE- KOLHUARWA WARD NO.2, P.S.- TOWN, DISTRICT- EAST
CHAMAPRAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-05-2023 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
total recovery of 62.3 liters of liquor as detailed in the FIR,
further the allegation against the petitioner is that 23 liters of
liquor was recovered from his house.

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 has been falsely implicated in the present case, even the house is a joint family property, as such, it cannot be alleged with certainty that it was petitioner who had kept the liquor in the house.

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) 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 Motihari P.S. Case No. 531 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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