

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18169 of 2023

Arising Out of PS. Case No.-439 Year-2020 Thana- RIVILGANJ District- Saran

MUNNA MAHTO @ MUNNA KUMAR CHAUDHARY SON OF
NAREDAN MAHTO @ NAGENDRA CHAUDHARY RESIDENT OF
VILLAGE - JANN TOLA, P.S.- RIVILGANJ, DIST. - SARAN AT CHAPRA
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2023 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 Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner has antecedent of three cases.

Allegation is of recovery of 50 litres of liquor from the bank of river Saryug.

Learned counsel for the petitioner submits that petitioner was not arrested 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 is accessible to public at large and does not belong to the petitioner



and he came to be implicated based on disclosure made by the local people but then the FIR does not disclose the name of the local people who disclosed the name of the petitioner which creates doubt with regard to the veracity of the allegation as alleged in the FIR.

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.20,000/- (Rupees Twenty 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 Rivilganj P.S. Case No. 439 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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