

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21334 of 2023

Arising Out of PS. Case No.-25 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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RAM VILASH MAHTO SON OF LATE BALESHWAR MAHTO R/O
VILLAGE- AKHRAHA (BANDH), P.S.- ASHOK PAPER MILL,
DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 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 47(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
recovery of 9.120 liters of liquor from a plastic sack kept in the
house of the petitioner.

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 event the house is a joint family property, as



such, it cannot be alleged with certainty that he was petitioner who had kept the liquor in the house or the liquor in the house was kept within his knowledge, it is next submitted that he came to be implicated based on the secret information which is the easiest way to implicate someone when, admittedly, the 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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Government Official Comp. P.S. Case No. 25 of 2014 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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