

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21618 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- MAHINDWARA District- Sitamarhi

SANJIT MAHTO @ SANJIT KUMAR MAHTO SON OF LATE SITARAM
MAHTO R/O VILLAGE- RUNNI, P.S.- RUNNI SAIDPUR, DISTRICT-
SITAMARH

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

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 Sections 420, 467, 468, 471, 120(b) and 34 of the Indian Penal Code and Sections 30(a), 32(ii), (iii), 41(i)(ii) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 3508 liters of liquor along with mobile and cash of Rs. 14,800/- was recovered from different vehicles as detailed in the FIR.

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 neither the owner nor the driver of any of the alleged seized vehicles and he came to be implicated based on confessional statement of co-accused Praveen Rathi in police custody which does not have any evidentiary value.

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. 10,000/- (Rupees Ten 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 Mahindwara P.S. Case No. 07 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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