

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21182 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- PATORI District- Samastipur

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UMESH MAHTO Son of Late Rajendra Mahto Resident of village-Bindgama
Takiya Tola, (Jalalpur) P.S. Shahpur Patori (Mohanpur OP), District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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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 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
recovery of 3 liters of liquor from a Bhushkar situated behind
the house of the petitioner.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession, it is next submitted
that even the place of occurrence is accessible to public at large
and the petitioner came to be implicated at the instance of local



people, but then the F.I.R. does not disclose the name of the local people who disclosed the name of the petitioner. It is next submitted that since the recovery was made from a place near the house of the petitioner, as such petitioner came to be implicated falsely, when admittedly he 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 Patori (Mohanpur O.P.) P.S. Case No. 64 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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