

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22923 of 2023

Arising Out of PS. Case No.-331 Year-2022 Thana- UJIYARPUR District- Samastipur

ANIL KUMAR MAHTO @ ANIL MAHTO S/O LATE MAHENDRA
MAHTO Resident of Village- Gangapur, P.S.- Musrigharari, District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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 30(a),
41(2)(1) 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 1197.72 liters of liquor from a truck and a
pick-up van.

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 petitioner had already sold the truck to one Raja Kumar Prasad prior to the occurrence, but since the documents were not transferred in the name of Raja Kumar, hence, petitioner came to be implicated on the ground that vehicle belongs to the petitioner.

The learned counsel for the petitioner next submits that had the truck belonged to the petitioner then definitely being a prudent person he would not have used the truck for committing a crime and thus would have been implicated easily, 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 Ujiarpur P.S. Case No. 331 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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