

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26300 of 2023**

Arising Out of PS. Case No.-309 Year-2022 Thana- BAKHARI District- Begusarai

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RUDAL MAHTO @ RUDAL KUMAR S/O HARINARAYAN MAHTO  
Resident of Village- Darha, P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rakesh Kumar No.1, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      16-05-2023                      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 414 of the Indian Penal Code and under Sections 30(a) and 30(c) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 20 liters of liquor from bank of a river along with other articles.

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 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 at the instance of *Chowkidar* with whom he is on an inimical term.

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. 5,000/- (Rupees Five 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 Bakhari P.S. Case No. 309 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishabh/-

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