

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27568 of 2023

Arising Out of PS. Case No.-332 Year-2021 Thana- BAKHARI District- Begusarai

1. SANTOSH KUMAR SON OF ASHOK MAHTO R/O VILLAGE- PEER NAGAR, P.S.- NOWKOTHI, DISTRICT- BEGUSARAI
2. ANOJ KUMAR @ BHUSHAN MAHTO SON OF SURESH MAHTO R/O VILLAGE- BAGWAN, P.S.- BAKHRI, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arjun Prasad, Advocate
		Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 120(B) of I.P.C. and under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 2964.96 liters of liquor from a truck and one Manoj was arrested who disclosed the name of the petitioners.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next



submitted they came to be implicated based on the confessional statement of co-accused in police custody which does not have any evidentiary value, it is also submitted that the petitioners are not the owner of the truck and are persons with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Bakhri P.S. Case No. 332 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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