

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27614 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- KHANPURA District- Samastipur

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KUNDAN MAHTO @ KUNDAN PRASAD Son of Pramod Mahto @
Pragas Mahto Resident of village - Khanpur, P.S.- Khanpur, District -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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), 36
and 41(i)(ii) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with two antecedent and allegation is of
recovery of 3254.400 liters of liquor from a truck.

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 he came to be implicated based on confessional
statement of co-accused in police custody, which does not have



any evidentiary value, it is next submitted petitioner is not the owner of the truck but because of his antecedent he came to be implicated.

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. 15,000/- (Rupees Fifteen 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 Khanpur P.S. Case No. 63 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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