

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29605 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- PATEPUR District- Vaishali

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1. PINTU MAHTO @ PINTU KUMAR SON OF LATE RAM SWATH MAHTO Resident of village - Dhankaul, P.S. - Patepur, Distt. - Vaishali
 2. Navin Kumar @ Navina Kumar Rai Son of Surendra Rai Resident of village - Dabhaich, P.S. - Tisiauta, Distt. - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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 Sections 30(a), 32(ii), 38(ii) and 41(i) 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 1678.68 litres of liquor from a pickup van parked near a public school.

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 that the petitioners are not the owners of the seized vehicle and they came to be implicated based on secret information, it is next submitted that it appears that the police in order to save the real culprits, falsely implicated the petitioners based on secret information, when admittedly petitioners 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 Court below 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 court below where the case is pending/successor court in connection with Patepur P.S. Case No. 57 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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