

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28600 of 2023

Arising Out of PS. Case No.-87 Year-2022 Thana- NARKATIYAGANJ RAIL P.S. District-
West Champaran

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Anil Mahto Son of Jay Narayan Mahto R/O- Gudar Ghat Sripur Gohar, 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. Ram Naresh Ray
For the Opposite Party/s : Mr. Anant Kumar 1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State, Mr. Rabindra Kumar.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) 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 2.25 liters of liquor from a bag kept under the Seat
No. 55 of a train.

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 even the alleged recovery is from a place which



is accessible to public at large and petitioner, because of his antecedent, 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. 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 Rail Narkatiyaganj P.S. Case No. 87 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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