

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30024 of 2023

Arising Out of PS. Case No.-16 Year-2023 Thana- DARPA District- East Champaran

1. RAJMAN MAHTO SON OF LATE DARBARI MAHTO RESIDENT OF VILLAGE -SUKHLAHIYA, PS- DARPA, DISTT- EAST CHAMPARAN
2. RAJESH MAHTO SON OF RAJMAN MAHTO RESIDENT OF VILLAGE -SUKHLAHIYA, PS- DARPA, DISTT- EAST CHAMPARAN
3. UMESH MAHTO SON OF RAJMAN MAHTO RESIDENT OF VILLAGE -SUKHLAHIYA, PS- DARPA, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

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) of the Bihar Excise Act and Sections 272 and 273 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner no. 1 and 2 have antecedent of one case and petitioner no. 3 is a person with clean antecedent and allegation is of recovery of 30 liters of liquor from a barren land situated beside the house of the petitioner.

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 alleged recovery is from a place which is accessible to public at large and does not belong to the petitioner, it is further submitted that he came to be implicated based on secret information which is the easiest way to implicate someone.

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. 15,000/- (Rupees Fifteen 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 Darpa P.S. Case No. 16 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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