

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31520 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- BASOPATTI District- Madhubani

1. PAPPU MAHTO SON OF SURAJ MAHTO Resident of Village- Kamalpur, P.S- Bassopati, District-Madhubani
2. PHIRAN MAHTO SON OF SUKHI MAHTO Resident of Village- Kamalpur, P.S.- Bassopati, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate
	:	Ms. Kumari Pallavi, Advocate
For the Opposite Party/s	:	Ms. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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 272, 273 and 34 of the Indian Penal Code and Sections 30(a) and 37 of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of one case and petitioner no. 2 is a person with clean antecedent and allegation is of recovery of 54 liters of liquor from shop of petitioners and two persons were arrested along with 1.2 liters of liquor each.

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 petitioners have been falsely implicated in the present case, it is also submitted that police implicated them alleging that the toddy shop belongs to the petitioners when it is asserted and submitted that the shop in question does not belong to the petitioners.

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. 5,000/- (Rupees Five 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 Bassopatti P.S. Case No. 52 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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