

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33321 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- BISFI District- Madhubani

SHANKAR MAHTO Son of LATE FAKIR CHANDRA MAHTO Resident of
Village- Jobgab Khadhi Bhandar Chameli Tole PS- Bisfi (Patauna O.P.)
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-05-2023 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 272, 273/34 of the I.P.C. and Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 3.9 liters of liquor from the bush behind the Kiosk of the petitioner and 9.900 liters of liquor from a pond near the house of Jitendra Sahani.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, even alleged



recovery is from a place which does not belong to the petitioner and he came to be implicated merely because the recovery was made from a place which was behind his kiosk it is next submitted his implication was based on secret information which is the easiest way to implicate someone when admittedly petitioner is a person with clean antecedent.

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. 1,000/- (Rupees One 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 Bisfi (Patauna) P.S. Case No. 44 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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