

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45212 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- NOKHA District- Rohtas

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DHANJEE MAHTO @ DHANJEE SINGH Son of Bhagwan Mahto @
Bhagwan Singh Resident of village - Nawadih, P.S. - Nokha, Distt. - Rohtas
at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The defect as pointed out by the office is ignored.
3. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Amendment Act, 2018.
4. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.
5. Allegation is of recovery of 70 litres of liquor from
the bamboo plantation at village Kurup.
6. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated at the instance of the Chawkidar with whom he is on



an inimical term. It is further submitted that even the alleged recovery is from a place which does not belong to the petitioner.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. 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 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) 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 Nokha P.S. Case No. 22 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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