

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50568 of 2023

Arising Out of PS. Case No.-210 Year-2023 Thana- MASHRAK District- Saran

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UMA MAHTO SON OF CHHATHU MAHTO RESIDENT OF VILLAGE
HARPURJAN P.S MASHRAKH DISTRICT SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 279, 337,
338, 353 and 332 of the Indian Penal Code and under Section
30(a), 38 and 41 of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 2 liters of liquor from a place behind the house of
petitioner and 1.620 liters of liquor from a Splendor motorcycle.

4. Learned counsel for the petitioner submits that the
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 *Chowkidar* with whom he is on an
inimical term. It is next submitted that the petitioner is not the



owner of the seized vehicle.

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

6. 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 Mashrakh P.S. Case No. 210 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned Trial Court before accepting the bail bonds of the petitioner shall verify the ownership of the seized vehicle and in the event if it is found that the vehicle belongs to the petitioner in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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