

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48780 of 2023

Arising Out of PS. Case No.-216 Year-2022 Thana- ARER District- Madhubani

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1. RAM KUMAR MAHTO Son of Raj Kumar Mahto @ Fakir Mahto Resident of village - Malmal, P.S. - Kaluahi, Distt. - Madhubani
 2. Rohit Mahto Son of Raj Kumar Mahto @ Fakir Mahto Resident of village - Malmal, P.S. - Kaluahi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 31-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272 and 273/34 of the Indian Penal Code as well as Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2012.

3. Learned counsel for the petitioners submits that petitioners have antecedent of three cases.

4. Allegation is of recovery of 162 litres of liquor from a motorcycle.

5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and they came to be



implicated based on secret information which is the easiest way to implicate someone. It is further submitted that petitioners are not the owner of the alleged vehicle as has been pleaded in the supplementary affidavit which is taken on record.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. 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 Court below 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 court below where the case is pending/successor court in connection with Arer P.S. Case No. 216 of 2022, G.R. No. 2507 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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