

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53473 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- KARJA District- Muzaffarpur

SHATROHAN MAHTO @ SATRUDHAN KUMAR S/O VISHWANATH
MAHTO VILLAGE BHATAUNA PS- KARJA, DIST- MUZAFFARPUR
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-08-2023 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 272, 273
and 34 of the Indian Penal Code and under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 7.875 liters of liquor from the maze field of
Vishwanath Mahto.

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, it is next submitted
that he came to be implicated based on confessional statement
of his father Vishwanath Mahto in police custody which does



not have any evidentiary value. It is next submitted that neither petitioner nor his father are owners of the maize field from where the alleged recovery was made. It is thus submitted that the police in a mechanical manner implicated the petitioner along with his father alleging that the maize field belongs to Vishwanath Mahto.

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. 1,000/- (Rupees One 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 Karja P.S. Case No. 130 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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