

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52690 of 2023**

Arising Out of PS. Case No.-340 Year-2023 Thana- KANTI District- Muzaffarpur

ANIL MAHTO SON OF HARI KISHORE MAHTO RESIDENT OF  
VILLAGE- JIRAT TOLA NANPUR, PS- NANPUR, DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      16-08-2023                      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 30(a),  
32(i)(ii), 36 and 41(i) 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 1522.920 liters of liquor from a bus.

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 based on confessional statement of Ajay and  
Prashant in police custody which does not have any evidentiary  
value when petitioner admittedly is a person with clean



antecedent and is not the owner of the seized bus.

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 Kanti P.S. Case No. 340 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishabh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

