

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57342 of 2022

Arising Out of PS. Case No.-730 Year-2021 Thana- SARAIYA District- Muzaffarpur

LOTAN MAHTO S/o Late Devki Mahto R/o village- Moza Malang Chowk,
P.S. - Saraiya Jaidpur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273, 328, 307, 302/34 and 120(B) of the Indian Penal Code as well as Sections 30(a), 30(c) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

Allegation is of recovery of 750 ml. of liquor from the shop of Ram Eakwal Sah and 11 empty bottles were recovered from the shop of the same Ram Eakwal Sah.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and even the alleged



recovery is from a place which does not belong to the petitioner and he is a senior citizen aged about 76 years.

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

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 Saraiya P.S. Case No. 730 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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