

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7397 of 2024

Arising Out of PS. Case No.-355 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Santosh Mahto S/O Nandu Mahto R/O Village- Sara Mohanpur, P.S- Sadar,
Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with L.N.M.U. University, P.S. Case No. 355 of 2023, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 43.05 liters of liquor from a place behind the Tari Shop.

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 mainly because the alleged recovery was made from a place which was near his shop and he came to be implicated at the instance of local people but then the name of the person who disclosed the name of the petitioner is not disclosed in the F.I.R., which cast an aspersion on the case of the prosecution.

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. 5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge – II, (Excise Act), Darbhanga, where the case is pending/successor court in connection with L.N.M.U. University, P.S. Case No. 355 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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