

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8549 of 2024**

Arising Out of PS. Case No.-110 Year-2023 Thana- CHORAUT District- Sitamarhi

NANDLAL MAHTO SON OF LATE JARILAL MAHTO R/O-  
YADDUPATTI SIMARI, P.S-CHORAUT, DISTT.-SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Md. Mushtaque Alam

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

2      27-02-2024                      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection  
with Choraut P.S. Case No.110/2023 registered for the offence  
punishable under Section 30(A) of Bihar Prohibition and Excise  
Act, 2018.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 171 litres of liquor from three motorcycles. It is  
next submitted that petitioner was not arrested from the spot as  
such nothing was recovered from his conscious possession. It is  
next submitted that the petitioner was neither the owner nor the  
driver of the seized motorcycles and he came to be implicated  
based on confessional statement of co-accused in police custody,



which does not have any evidentiary value, when petitioner admittedly is a person with clean antecedent.

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

5. 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.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge Exclusive Excise Court-II, Sitamarhi in connection with Choraut P.S. Case No.110/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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