

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6257 of 2024

Arising Out of PS. Case No.-286 Year-2022 Thana- SAKRI District- Madhubani

RAJDEV MAHTO S/O- SURAJ MAHTO R/O- VILLAGE- SARISABPAHI,
P.S.- PANDAUL, DIST.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sakri P.S. Case No.286/2022, G.R. No.2575/2022 dated
26.12.2022, registered for the offence punishable under Sections
272, 273 and 34 of the I.P.C. & Section 30(a) of Bihar
Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and an allegation is of
recovery of 18 litres of liquor out of which 9 litres is said to
have been recovered from an auto. It is next submitted that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be
implicated on the ground that he is owner of auto. It is next



submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself. It is next submitted that at the place of occurrence the driver along with three passengers were arrested, as such, it is submitted that either the driver or the passenger misused the vehicle in the manner as alleged.

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.5000/- (Rupees Five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Sakri P.S. Case No.286/2022, G.R. No.2575/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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