

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11420 of 2024**

Arising Out of PS. Case No.-97 Year-2023 Thana- BANDEYA District- Aurangabad

Jai Prakash Prasad Mahto @ Jai Prakash Prasad Son of Late Ram Pukar  
Mahto Resident Of Village- Rukundi, Ps- Bandeya, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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

2      01-03-2024                      1      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2      The petitioner apprehends his arrest in a case regis-  
tered for the offences punishable under Section 30(a) of the Bi-  
har Excise Act.

3      Learned counsel for the petitioner submits that the  
petitioner has antecedent of two cases and allegation is of recov-  
ery of 58 litres of liquor, as detailed in the FIR.

4      Learned counsel for the petitioner submits that the  
petitioner was not arrested from the spot as such nothing was re-  
covered from his conscious possession and even alleged recov-  
ery is from a place which does not belong to the petitioner. It is  
next submitted that he came to be implicated based on confes-  
sional statement of co-accused in police custody which does not



have any evidentiary value.

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. 10,000/- (Rupees Ten 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 Bandeya P.S. Case No. 97 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

SUMIT/-

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