

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16148 of 2024

Arising Out of PS. Case No.-188 Year-2023 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. Sunil Mahton S/o Umesh Mahton R/o Vill - Peernagar, P.S. - Naokothi, Dist. - Begusarai
 2. Neeraj Kumar @ Neeraj Mahton S/o Ram Uday Mahton R/o Vill - Bagwan, P.S. - Bakhri, Dist. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Namita Sharma
		Mr. Anshu Dhar Sharma
For the Opposite Party/s	:	Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 120B of the Indian Penal Code read with Sections 30(a), 32A and 41 of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of five cases and petitioner no. 2 has antecedent of 7 cases and allegation is of recovery of 800 liters of liquor from a truck.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession and are neither the driver nor the owner of the vehicle and they came to be implicated based on secret information which is the easiest way to implicate someone. It is further submitted that it appears that police, in order to save the real culprits, falsely implicated the petitioners because of their antecedent.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 35,000/- (Rupees Thirty Five Thousand) each 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 Naokothi P.S. Case No. 188 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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