

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36183 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

-
1. Raj Kumar @ Raj Kumar Mahto son of Birendra Mahato Resident of Village- Tarwara, Noniya Tola, P.S.- G.B. Nagar, Dist.- Siwan
 2. Sunil Mahto @ Sunil Prasad @ Sunil Kumar Prasad Son of Late Sanjay Mahto @ Melu Resident of Village- Tarwara, Noniya Tola, P.S.- G.B. Nagar, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-06-2024 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 Sections 30(a), 34 and 36 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioners submits that petitioners have antecedent of two cases.

4. Allegation is of recovery of 20 litres of liquor from a place near Gandak River.

5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even the alleged



recovery is from a place which does not belong to the petitioners and is accessible to public at large. It is further submitted that petitioners came to be implicated at the instance of the local persons but then the name of the person who disclosed the name of the petitioners is not disclosed in the FIR which casts an aspersion on the case of the prosecution.

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

7. 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with G.B. Nagar P.S. Case No. 132 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

