

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79680 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- HATHAURI District- Muzaffarpur

SUDHIR MANDAL @ SUDHIR KUMAR MAHTO SON OF UMESH
MANDAL RESIDENT OF VILLAGE - BERAU, P.S. - HATHAURI,
DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Hatauri P.S. Case No.153/2023 registered for the offence
punishable under Sections 272, 273, 467, 468, 414 and 34 of the
I.P.C and Section 25(1-b)a, 26 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases and allegation is of
recovery of 2 litres of liquor from a car. It is next submitted that
the petitioner was not arrested from the spot as such nothing
was recovered from his conscious possession nor he is owner of
the seized vehicle. It is next submitted that he came to be
implicated based on confessional statement of Neeraj Kumar



Jha in police custody, which does not have any evidentiary value. It is also submitted that the police got the petitioner implicated in the case because of his antecedents through Neeraj.

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.25,000/- (Rupees Twenty five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.3, in connection with Hatauri P.S. Case No.153/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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