

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16828 of 2025

Arising Out of PS. Case No.-60 Year-2024 Thana- TETERHAT District- Lakhisarai

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Akhilesh Mahto @ Shiv Kumar S/O Janki Mahto R/O Village- Dhanama, P.S-
Chandradip, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Anant Kumar 1

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 02-04-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The present application is for grant of anticipatory bail, in connection with Tetarhat P.S. Case No.60 of 2024 for offences under Sections 272. 273/34 of the B.N.S and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. From the perusal of the First Information Report as also the seizure list, that a total of 1.5 liters of foreign liquor was recovered from a Scorpio vehicle and one person, namely Vikas Kumar, was arrested along with the said liquor.

4. Learned counsel for the petitioner submits that so far as the name of the petitioner is concerned, it has transpired on the basis of the statement made by the said Vikas Kumar, who was arrested at the place of occurrence. Learned counsel



for the petitioner submits that no recovery has been made from the conscious possession of the petitioner, and his name has transpired in this case only on the basis of a disclosure statement made by the co-accused before police, which has no evidentiary value

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the above facts and circumstances and the petitioner having no criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Excise Court-II, Lakhisarai, in connection with Tetarhat P.S. Case No.60 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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