

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71720 of 2022

Arising Out of PS. Case No.-232 Year-2022 Thana- SISWAN District- Siwan

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KRISHNA MAHTO @ KRISHNA MAHATO S/O LATE BHAGELU
MAHTO Resident of village- Ghurghat, P.S.- Siswan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 8 liters of liquor from a plastic bag as said to be thrown by the petitioner.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that alleged recovery is also from a place which does not belong to the petitioner and he came to be implicated by the



villagers but then name of the villagers are not disclosed in the FIR.

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

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. 1,000/- (Rupees One 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 Siswan P.S. Case No. 232 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has any criminal antecedent then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

GauravSinha/-

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