

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72264 of 2022

Arising Out of PS. Case No.-460 Year-2022 Thana- TAJPUR District- Samastipur

Mantun Kumar Sahani @ Mantun Sahani, Son Of Late Dhodai Sahani
Resident Of Village - Tiswara Halai, P.S.- Tajpur, District - Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-12-2022 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the I.P.C. and Section 30(a) of the Excise Act.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 08 litres of liquor from Jinis Lal Sahni's house and 04 litres of liquor from a plastic gallon from the petitioner's house.

The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is next submitted that even the said house is a joint family property, as such, it cannot be alleged that petitioner had kept the liquor in the house as no prudent man would use his own house for committing an occurrence and



thus, create evidence against himself.

Learned A.P.P. opposes the bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Tajpur P. S. Case No.460 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, 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)

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