

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25546 of 2024

Arising Out of PS. Case No.-239 Year-2023 Thana- SIKTI District- Araria

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1. Govind Mandal @ Govanda Mandal @ Govind Kumar Mandal @ Gobind Kumar Mandal son of Sinheshwar Mandal @ Singheshwar Mandal @ Gulah Mandal R/o- Balua Dhapadi, Ward No. 1, Balua Police Station - Palasi, District Araria, Bihar 854333
 2. Sanjeet Kumar Mahto @ Sanjeet Kumar @ Sanjeet @ Sanjit Kumar Mahto @ Sanjit son of Tilo Mahto @ Tilo Manto @ Tilwa W.No-2, Balua Ps- Palasi Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Ravish
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-04-2024 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 Section 30(a) of the Bihar Excise Act.

 3. Learned counsel for the petitioners submits that the petitioner No. 1 is a person with clean antecedent and petitioner No. 2 has antecedent of two cases and allegation is of recovery of 135 litres of liquor from a place near Nepal border.

 4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession and even alleged recovery is from a place which is accessible to public at large and does not belong to the petitioners. It is next submitted that they came to be implicated based on confessional statement of Ravi Kumar in police custody which does not have any evidentiary value.

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

6. 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 trial court 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 trial court where the case is pending/successor court in connection with Sikty P.S. Case No. 239 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that the petitioner No. 1 has antecedent of even one case



and petitioner No. 2 has more than three antecedents, in that event the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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