

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 41043 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- GOGRI District- Khagaria

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MAYARAM @ MAYARAM MANDAL S/O LATE BISHUNDEO
MANDAL R/O VILLAGE- JAMALPUR KURMITOLA, P.S- GOGRI,
DISTT.- KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar
For the Opposite Party/s : Mr. Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-07-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 188 and
290 of the Indian Penal Code and 30 (a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of four cases and allegation is of
recovery of 5 liters of liquor from Basa of petitioner.
4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and Basa is a place
outside the house and thus is accessible to villagers at large and
it appears that someone inimical to the petitioner planted



meager amount of liquor in Basa with an intention to implicate the petitioner and his family members. It is further submitted that no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner came to be implicated based on secret information which is the easiest way to implicate someone.

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

6. 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. 20,000/- (Rupees Twenty Thousand) 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 Gogari P.S. Case No. 146 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear 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 antecedent of more than four cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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