

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46776 of 2024

Arising Out of PS. Case No.-131 Year-2024 Thana- KOTWALI District- Munger

Mohan Jha @ Mohan Kumar @ Katiman, S/O Munna Jha R/O Village-
Gulajar Pokhar, Ward no.13, P.S.-Kotwali, Distt-Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deep Anshuman

For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-07-2024 1. Heard learned counsel for the petitioner and

learned APP for the State.
2. The petitioner seeks bail in anticipation of his

arrest in a case registered for the offences punishable under

Sections 272 and 273 of the I.P.C. and Section 30(a) of the

Excise Act.
3. The learned counsel for the petitioner submits

that the petitioner has antecedent of four cases and the

allegation is of recovery of 95 litres of liquor from the hut of

Sumitra Devi.
4. The learned counsel for the petitioner submits

that petitioner was not arrested from the spot, as such,



nothing was recovered from his conscious possession and even alleged recovery is from a place, which does not belong to the petitioner, but he came to be implicated at the instance of local person, but the name of the person, who disclosed the name of the petitioner is not disclosed in the F.I.R., which cast an aspersion on the case of the prosecution.

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

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 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. 20,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Munger in connection with Kotwali P. S. Case No.131 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



7. The application stands allowed.

8. It is made clear that 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 application shall not be given effect to.

(Satyavrat Verma, J)

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