

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51452 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- SARAI RANJAN District- Samastipur

Chandan Kumar Mahto @ Chandan Mahto S/O Chhotelal Mahto Resident of
Village- Khajuri, Akhtiyarpur Police Station- Ghatho, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 30-08-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act in
connection with Sarairanjan P.S. Case No.30 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case as pleaded in the
supplementary affidavit and allegation is of recovery of 267.825
liters of liquor from the maize field of the petitioner.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious



possession and he came to be implicated at the instance of Chowkidar who disclosed that the maize field belongs to the petitioner when petitioner asserts and submits that the maize field does not belong to the petitioner. It is next submitted that police in majority of the cases implicates either at the instance of the 'Chowkidar', local person, secret information or confessional statement in a mechanical manner without holding proper investigation, when petitioner admittedly is a person with clean antecedent.

5. The learned APP for the State 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. 5000 /- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise)-2, Samastipur in connection with Sarairanjan P.S. Case No.30 of 2024, subject to the conditions 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 petitioner shall verify the



criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, in that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

