

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.46580 of 2024**

Arising Out of PS. Case No.-73 Year-2024 Thana- HARLAKHI District- Madhubani

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YOGENDRA MAHTO SON OF RAMJI MAHTO VILLAGE- SOTHGAO,  
P.S.- HARLAKHI, DISTT.- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar  
For the Opposite Party/s : Ms. Shaheen Begum

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      19-07-2024                      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 272, 273 and  
34 of the Indian Penal Code read with Section 30(a) of the Bihar  
Excise Act.
3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 21 liters of liquor from a place near the shop of the  
petitioner apart from other recoveries as detailed in the FIR.
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 even the alleged  
recovery is from a place which does not belong to the petitioner



and is accessible to public at large, but then is adjacent to his shop and he came to be implicated at the instance of *Chowkidar* with whom he is on an inimical term.

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. 500/- (Rupees Five Hundred) 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 Harlakhi P.S. Case No. 73 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 even one case in that event, the present anticipatory bail order shall not be given effect to.

**(Satyavrat Verma, J)**

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