

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48196 of 2024**

Arising Out of PS. Case No.-81 Year-2024 Thana- JALALPUR District- Saran

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DHARMENDRA MAHTO SON OF CHANDESHWAR MAHTO  
RESIDENT OF VILLAGE- INAMIUR, P.S.- JALALPUR, DISTT.- SARAN  
AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Harsh Anuj

For the Opposite Party/s : Ms. Sharda Kumari

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

- 2      23-07-2024                      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 offence punishable under Section 30(a) of Bihar Prohibition  
and Excise Act.
3. Learned counsel for the petitioner submits that  
petitioner has antecedent of one case and allegation is of recovery of  
15 litres of liquor from a bush near the house of petitioner along with  
other recoveries as detailed in the F.I.R. It is next submitted 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 and is accessible  
to public at large but then is adjacent to his house and he came to be  
implicated based on secret information which is the easiest way to



implicate someone.

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

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees five 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 Jalalpur P.S. Case No.81/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents 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 to.

(Satyavrat Verma, J)

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