

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48491 of 2024

Arising Out of PS. Case No.-159 Year-2024 Thana- MANJHI District- Saran

Bhim Mahto son of Lallu Mahto @ Lal Babu Mahto Village- Dumaigarh Ps-
Manjhi Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha
For the Opposite Party/s : Mr. Kalyan Shankar

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 offences punishable under Section 414 of the
Indian Penal Code read with Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of recovery
of 50 liters of liquor from a motorcycle.
4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not the owner of the
seized vehicle and he came to be implicated at the instance of
Chowkidar. It is next submitted that it appears that the *Chowkidar*,
in order to save the real culprits, falsely implicated the petitioner



taking advantage of his antecedents.

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. 10,000/- (Rupees Ten 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 Manjhi P.S. Case No. 159 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 two cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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