

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55567 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- GADHPURA District- Begusarai

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GOPAL KUMAR MAHTO @ GOPAL KUMAR S/O SAHDEO MAHTO
R/O VILLAGE- WARD NO. 10, KAURA, KUMHARSON, P.S-
GADHPURA, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2024 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 Sections 30(a), 30(c)
and 30(d) of Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 80 litres of liquor from the bank of Bagmati river. 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 and
he came to be implicated at the instance of chowkidar with



whom he is on an inimical term.

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 Gadhpura P.S. Case No.54/2024, 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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