

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59594 of 2024**

Arising Out of PS. Case No.-76 Year-2024 Thana- JAYNAGAR District- Madhubani

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Guru Sharan Mahto @ Guru Sharan Kumar Son of Late Khattar Mahto Resi-  
dent of Village- Kuwadh, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Md. Nazir Ansari

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

2      31-08-2024                      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 offences punishable under Sections 272, 273/34  
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 45 liters of liquor from the orchard of the petitioner.

4. Learned counsel for the petitioner submits that  
petitioner was not arrested from the spot as such nothing was  
recovered from his conscious possession. It is next submitted that  
no prudent person would use his own orchard for committing an  
occurrence and thus would create evidence against himself and  
hence would get implicated, it is also submitted that orchard is an  
open space and is accessible to villagers, as such, it appears that  
someone inimical to the family of the petitioner planted meager



amount of liquor with a view to implicate the petitioner and his family members and he also came to be implicated based on secret information which is the easiest way to implicate someone.

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 Jaynagar P.S. Case No. 76 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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