

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67380 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- LAKHAURA District- East Champaran

Mahangu Sahani @ Jitendra Sahani @ Jitendra Kumar Son of Bhukhal Sahani R/o Village- Katahan Loknathpur, P.S.- Motihari Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-09-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 30(a), 32 and 41(1) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of five cases and the allegation is of recovery of 200 litres of liquor from a place near bank of Sikrahna river.
4. The learned counsel for the petitioner submits 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 based on secret information, which is the easiest way to implicate someone.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.1, East Champaran, Motihari in connection with Lakhaura P. S. Case No.73 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that 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 five cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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