

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84506 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- BHAGWAN BAZAR District- Saran

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Guddu Mahto @ Guddu Kumar Chaudhary @ Guddu Kumar @ Gududu
Kumar S/o- Narad Chaudhari @ Narad Mahto Resident of Village- Naviganj
Bintoli PS-Bhagwan Bazar District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Advocate
For the State : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 11-12-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks anticipatory bail, apprehending his arrest, in connection with Bhagwan Bazar PS. Case No.-74 of 2024 dated 19.02.2024, registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per allegation, total 111.105 litre illicit liquor was recovered from the possession of two co-accused, viz., Akhilesh Kumar and Rahul Kumar and as per the statement of these two arrested accused, there is involvement of the present petitioner in the illicit liquor trade.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that neither the petitioner is present on the place of occurrence nor any way connected with the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Exclusive Special Excise Court-I, Saran at Chapra, in connection with Bhagwan Bazar PS. Case No.-74 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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