

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7996 of 2025

Arising Out of PS. Case No.-211 Year-2024 Thana- JHANJHARPUR District- Madhubani

Ranjit Kumar Mahto Son of Late Thakko Mahto Resident of Village -
Kanhauli, Ward No. 06, P.S. - Jhanjharpur, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 06-03-2025 1. Heard learned counsel for the petitioner and Mr. Rabindra Kumar, learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 274, 275 and 3(5) of the BNS and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.
4. Allegation is of recovery of 54 litres of liquor from the house of Ganeshi Mahto.
5. 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 the alleged recovery is from a place which does not belong to the petitioner. It is further submitted that petitioner came to be implicated based on the confessional statement of Ganeshi Mahto in police custody which



does not have any evidentiary value in the eye of law.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, let 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 provisional 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 court below where the case is pending/successor court in connection with Jhanjharpur P.S. Case No. 211 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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