

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61176 of 2025

Arising Out of PS. Case No.-439 Year-2025 Thana- GARKHA District- Saran

=====

Guddu Mahto S/o Iner Mahto Resident of village- Phulwaria, P.S.-Garkha,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Ms. Mili Kumari, Advocate
	:	Ms. Ashi Vats, Advocate
For the State	:	Mr. Kalyan Shankar

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Garkha P.S. Case No. 439 of 2025 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 11.06.2025 by the informant, Santosh Kumar.

3. As per the prosecution story, the informant alleged that Police upon information raided three places and petitioner's house is concerned there is recovery/seizure of 10 liters country made liquor. This led to the F.I.R.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, he has been implicated, nothing has been recovered from his conscious possession and if granted



relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that the petitioner has criminal antecedents.

6. Considering the submissions of the parties as also the fact as also the fact that nothing has been recovered from his conscious possession and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-cum-Exclusive Special Judge, Excise Act-I, Saran at Chapra, in connection with Garkha P.S. Case No. 439 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

