

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74565 of 2025

Arising Out of PS. Case No.-136 Year-2025 Thana- SIWAIPATTI District- Muzaffarpur

Jagdish Mahto @ Jagdish Chaudhary S/O Late Suraj Chaudhary R/O Village-
Tengrari, P.S- Siwaipatti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2025 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 offence punishable under Sections 274, 275 of
BNS & Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 25 litres of liquor from shop of the petitioner and 30
litres of liquor from the house of Laljhari Devi. It is next
submitted that petitioner was not arrested from the spot as such
nothing was recovered from his conscious possession and the
shop does not belong to the petitioner but then police in a
mechanical manner without investigating the case in its correct
perspective implicated the petitioner based on secret



information which is the easiest way to implicate someone. It is also submitted that had the shop belonged to the petitioner then definitely petitioner would not have used his own premises for committing an occurrence and thus would have created evidence against himself and hence would have been implicated. It is also submitted that petitioner has no concern with Laljhari Devi.

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

5. 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 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 trial court where the case is pending/successor court in connection with Siwaipatti P.S. Case No.136/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, it would be presumed that petitioner had



concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found 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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