

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75345 of 2025**

Arising Out of PS. Case No.-23 Year-2025 Thana- AMNAUR District- Saran

Agindeo Mahto S/O Gorakh Mahto R/O Vill.- Badrahiya, Madhaurah, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      12-11-2025                      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 Section 30(a), 41 and 47 of the Excise Act.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 170 litres of liquor from a motorcycle and 39 litres of liquor from a mustard field behind the house of Santosh Singh.

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 not the owner of the seized vehicle and he came to be implicated based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value. It is reiterated and submitted that petitioner is a person with clean antecedent.

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 provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-1, Saran at Chapra in connection with Amanour P. S. Case No.23 of 2025, 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 after accepting the provisional 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 even one case, then it



would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present 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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