

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81191 of 2025

Arising Out of PS. Case No.-667 Year-2023 Thana- HARSIDHI District- East Champaran

Sudhir Mahto Son of Heera Mahto Resident of Village- Math Lohiyar
Noniatola, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 17-12-2025 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 offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and allegation is of recovery of 1 liter of liquor from a motorcycle.

4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and he came to be implicated based on the fact that petitioner earlier came to be implicated along with others by the owner of the vehicle alleging that on the



previous night, the accused persons had snatched his motorcycle, but then it is submitted that petitioner has been granted bail in the said case.

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

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 Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) 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 Harsidhi P.S. Case No. 667 of 2023 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than two cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after



verification if it is found that petitioner has antecedent of two cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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