

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81469 of 2025

Arising Out of PS. Case No.-170 Year-2025 Thana- HASANPUR District- Samastipur

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AMARJEET MAHTO @ AMARJEET KUMAR S/O Thithar Mahto Resident
of Goriyari, P.S. Hasanpur, Dist-Samastipur, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 494.64 litres of liquor from a fodder shade in the field of Vijay Mahto. It is next submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is also submitted that the alleged recovery is from a place which does not belong to the petitioner nor the petitioner has any concern with the alleged recovery and he came to be implicated at the instance of *Chowkidar* with



whom he is on an inimical term.

4. Learned A.P.P. opposes the anticipatory bail application.

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, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-I, Samastipur in connection with Hasanpur P.S. Case No.170 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. 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 more than 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 has antecedent of only one case, in that event, the
provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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