

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73081 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- Chhaudahi District- Begusarai

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Ganga Prasad Mahto Son of Ghuran Mahto R/o Village - Ijraha(Isharaha),
Ward No. 18, P.S. - Chhourahi(Chhaurahi), District -Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-01-2026 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, 2018.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 607.68 litres of liquor from a bush and two
motorcycles were seized.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be
implicated based on the fact that he is owner of one of the
seized motorcycles. It is next submitted that no prudent person



would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated, it is further submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged.

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 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 Chhourahi (Chhaudahi) P.S. Case No. 79 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court thereafter shall verify the criminal antecedent 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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