

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56149 of 2026

Arising Out of PS. Case No.-136 Year-2026 Thana- MADHUBAN District- East Champaran

Mohan Mahato Son of Jagdeo Mahato R/o Village Bara Mangaru, P.S.-
Madhuban, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

2 13-08-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The petitioner is apprehending his arrest in connection with Madhuban P.S. Case No. 136 of 2026 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. The allegation in the FIR is that 76 litres of country-made liquor was recovered from four plastic gallons, each containing 15 litres of liquor, and eight bottles, each containing 2 litres of liquor. The FIR further alleges that three persons were apprehended at the spot and, they disclosed the



name of the petitioner as one of the persons who had fled from the place of occurrence.

4. Learned counsel for the petitioner submits that he has been falsely implicated in the present case and that no recovery has been made from his physical possession. He further submits that the FIR itself shows that the petitioner has been implicated merely on the basis of his alleged identification by the persons apprehended at the place of occurrence, and apart from that, there is no material against him. He fairly submits that the petitioner has one criminal antecedent in which he is on bail, but the same does not relate to any offence under the Excise Act.

5. Learned APP appearing for the State has vehemently opposed the prayer for anticipatory bail.

6. Having considered the rival submissions of the parties, and in particular the fact that no recovery has been made from the physical possession of the petitioner, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each of the satisfaction of learned Exclusive



Special Excise Court No. 111, East Champaran at
Motihari/concerned court, in connection with Madhuban P.S.
Case No. 136 of 2026, subject to the conditions as laid down
under Section 482(2) of the BNSS.

(Ranjan Kumar Jha, J)

rishabh/-

U		T	
---	--	---	--

