

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57305 of 2026

Arising Out of PS. Case No.-35 Year-2026 Thana- HARSIDHI District- East Champaran

Jitendra Kumar @ Jitendra Mahto S/o Nathuni Mahto @ Nathuni Sahni R/o
Village - Bhada, P.S - Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, 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 Harsidhi P.S. Case No. 35 of 2026 registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition & Excise Amendment Act, 2022.

3. The allegation in the FIR is that police received
secret information and while they reached the place of
occurrence in order to verify the same, one person after seeing
the police party fled away and the police made a search the bag
thrown away by fleeing person, recovered 15 litres of country-
made liquor.

4. Learned counsel for the petitioner submits that
petitioner is in no way connected either with the place of



occurrence or with the alleged recovered article. Further submission is that the manner in which the petitioner has been made an accused in this case shows his false implication.

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

6. Having considered the submissions of the parties, in particular no recovery has been made from his physical possession and the manner in which the petitioner has been made an accused, 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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each of the satisfaction of learned Exclusive Special Excise Court No. I, East Champaran, Motihari/concerned court, in connection with Harsidhi P.S. Case No. 35 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS, with further condition that:-

“(i) Petitioner shall cooperate in further investigation if any, in case of non-compliance of aforesaid conditions, the informant/State shall be at liberty to press for cancellation of bail bond of the petitioner



before the learned trial court itself, which be
decided, after giving fair opportunity of
hearing to the petitioner.”

(Ranjan Kumar Jha, J)

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