

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2995 of 2025

Arising Out of PS. Case No.-240 Year-2024 Thana- PANDAUL District- Madhubani

Shravan Mahto S/o Ramesh Mahto R/o vill - Pacchwari Tol Pandaul, P.S. -
Pandaul, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 05-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences punishable under Sections 30(a) and 41 (1) of the Bihar Prohibition and Excise Act.

3. A perusal of the first information report and the seizure list would go to show that total 55 liters of country made liquor has been recovered from a bamboo orchard.

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and his name surfaced in this case on account of disclosure made by the local chaukidar. He further submits that the place of recovery is an open place and easily accessible to anyone, hence the liability cannot be fixed upon the petitioner. It is also a fact that the petitioner was



not caught on the spot and nothing has been recovered from his physical or conscious possession.

5. Taking into consideration the abovementioned facts and circumstances of the case and further that the petitioner has no criminal antecedent, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned 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 to the satisfaction of the learned Court below where the case is pending/ successor Court in connection with Pandaul P.S. Case No.240 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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