

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2933 of 2025

Arising Out of PS. Case No.-108 Year-2024 Thana- PARIHAR District- Sitamarhi

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Jagnandan Mahto @ Jainandan Mahto @ Jainandan Kumar Son of Hari
Mahto Resident of Village - Bhasar, Tole - Koriyahi, Ward No.08, Police
Station - Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2025 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Parihar P.S. Case No. 108 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 108 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner was not apprehended on spot and his name appears in this case on the basis of discloser of apprehended co-accused. It is submitted that the



fact of this case specifically suggest that recovery of illicit liquor was not made from the conscious physical possession of this petitioner who is a man of clean antecedent.

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid facts and submission as recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner who is a man of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise court I, Sitamarhi/concerned Court, where the case is pending in connection with Parihar P.S. Case No. 108 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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