

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9678 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- SIMRI District- Darbhanga

=====

Amarjit Kumar Mahto @ Amarjit Mahto @ Amrjit Kumar Mahto @ Amarjeet Kumar Mahto S/o Shivnarayan Mahto @ Shiv Narayan Mahto, Resident of village- Kansi, PS- Simri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Abhijeet Kumar Singh, Advocate Mr. Pranjal R., Advocate Mr. Shubham Sourav, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 Heard Ld. counsel for the petitioner and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Simri PS. Case No.- 17 of 2025 dated 16.01.2025, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2022.

3. As per allegation, there is recovery of 12 litre illicit liquor from open space near Brhamsthan.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner has no connection with



the alleged offence and the whole prosecution case against the petitioner is based on suspicion without any cogent and legally admissible material.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in three other cases.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Exclusive Special Excise Judge No.II, Darbhanga, in connection with Simri PS. Case No.- 17 of 2025, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

ravishankar/-

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

