

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14756 of 2025**

Arising Out of PS. Case No.-142 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Shambhu Kumar Mahto S/o- Late Jagdish Mahto, R/o Village- Harlochanpur
Ps- Muffasil Dist- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate.

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

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 02-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No.142 of 2024 instituted under Section
30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, the accused persons
were coming on motorcycle and they tried to flee away from the
spot after seeing the Police force and on checking total 2.190
liter illicit liquor was recovered from one motorcycle bearing
registration No. BR 33 AM 9909 and another motorcycle
bearing registration No. BR 33 V 2585 was also seized.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He further submits that nothing incriminating material has
been recovered from the motorcycle of petitioner. Learned



counsel submits that petitioner was not apprehended on the spot. He further submits that petitioner is a school teacher and the motorcycle of petitioner was parked near the other motorcycle and the petitioner has no concern with the said motorcycle from where the illicit liquor was recovered. The petitioner has no criminal antecedent and he undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Judge Excise-I, Samastipur in connection with Muffasil P.S. Case No.142 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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