

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15826 of 2025

Arising Out of PS. Case No.-269 Year-2024 Thana- EXCISE MAHARAJGANJ District-
Siwan

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Chhatu Mahto @ Chhathu Mahto Son of Sakhichand Mahto Resident of
Village - Purani Bazar, P.S. - Maharajganj, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Maharajganj Excise P.S. Case No. 269 of 2024 registered for the offences punishable under Sections 30(a), 30(c) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 145 litres of country made liquor was recovered from two motorcycles and 630 kg mahua was destroyed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the



present case. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioner. It is submitted that the name of the petitioner has transpired as being owner of the TVS Motorcycle bearing Registration No BR29AT-0639. The petitioner has no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court *vide* order dated 28.01.2025 passed in Cr. Misc. No. 1768 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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 Maharajganj Excise P.S. Case No.
269 of 2024, subject to the conditions as laid down under
Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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