

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18749 of 2025

Arising Out of PS. Case No.-494 Year-2024 Thana- PAHARPUR District- East Champaran

Paltu Mahato S/O Late Bahir Mahato Resident of village- Siswa
Mauze(Siswa Kodar) ward No-14, P.S.- Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-04-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Paharpur P.S. Case no.494 of 2024 registered under sections 30(a), 41(1) and 52 of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 5 litres of liquor was recovered from the motorcycle bearing registration no. BR-05N-2123. It is stated that accused persons standing nearby managed to escape. The petitioner was identified by the local *chowkidar* as being amongst the accused persons who had managed to escape.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He has no



concern either with the seized liquor nor with the vehicle in question from which the alleged seizure is said to have taken place. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., no incriminating article having been recovered from the petitioner's possession, the petitioner not having any concern with the vehicle from which the liquor is said to have been seized and especially his not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Paharpur P.S. Case no.494 of 2024 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 Exclusive Special Excise Court no.1, East Champaran at Motihari.

(Partha Sarthy, J)

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