

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22287 of 2025

Arising Out of PS. Case No.-275 Year-2023 Thana- SIKTI District- Araria

Sanjit Kumar Mahto @ Sanjit @ Sanjit Kumar S/o Tilwa @ Tilakchand
Mahto Resident of Village- Bind Tola, Ward No. 02, P.S.- Palasi, Distt.-
Araria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravish

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-04-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Sikty Police Station Case No. 275 of 2023,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, on 31.10.2023,
during investigation, informant and his team spotted a man on a
bicycle carrying suspicious luggage. Upon seeing the police, the
man fled after leaving his bicycle. Villagers identified him as
Sanjeet, allegedly involved in the liquor trade. On search of the
bicycle, total led 9 liters of Nepal-made country liquor was
recovered.



4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and he has been made accused merely on the basis of disclosure of his name by the villagers. Nothing has been recovered from the conscious possession of the petitioner and the seized bicycle does not belong to the petitioner. The alleged recovery has been made from a bicycle on a road which is an open space accessible to everyone.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the bicycle from which the illicit liquor has been recovered does not belong to the petitioner and the recovery of illicit liquor has been made from bicycle on a road which is an open space accessible to everyone, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-cum-Exclusive Special Excise Judge-2, Araria,



in connection with Sikty Police Station Case No. 275 of 2023,
subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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