

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20960 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- SISWAN District- Siwan

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Brajesh Kumar @ Brajesh Mahto Son of Shreeram Mahto Resident of
Hussaina Bangra, Police Station - M.H. Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-04-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Siswan

(Chainpur) P.S. Case No. 43 of 2025 registered for the

offences punishable under Section 30 (a) of the Bihar

Prohibition and Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor, where,

there is recovery of 64.80 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the



petitioner submitted that name of petitioner transpired in the present case on the basis of disclosure as made by apprehended co-accused namely Amit Sah. It is submitted that recovery not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special, Excise Court No. 2, Siwan/concerned Trial Court where the case is pending in connection with Siwan (Chainpur) P.S. Case No. 43 of



2025 subject to the conditions as laid down under Section
438(2) of the Cr.P.C./Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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