

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22104 of 2025

Arising Out of PS. Case No.-460 Year-2024 Thana- PAHARPUR District- East Champaran

Nandlal Mahto son of late Hari Mahto, resident of village-Siswa Nuniyawa
Tola Ward No. 11, P.S. Paharpur, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 24-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 30(a), 41(1), 52 of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list, would go to show that 14 liters of country made liquor is said to have been recovered from the straw house of the petitioner.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the physical and conscious possession of the petitioner. As a matter of fact, the said house does not belong to the petitioner. He has been implicated an accused by the local Choukidar with whom he had



inimical relationship. Further, the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has one criminal antecedent of similar nature of the offence. To which, learned counsel for the petitioner submits that the petitioner is on bail.

6. Taking into consideration the fact and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail 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 court below where the case is pending/successor court in connection with Paharpur P.S. Case No. 460 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further conditions:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) The one of the bailors will be a family member/close relative.

(iii) The petitioner would appear before the



Investigating Officer of the concerned police station at an interval of every 15 days till the charge-sheet in this case is submitted.

(Soni Shrivastava, J)

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