

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32739 of 2025

Arising Out of PS. Case No.-452 Year-2024 Thana- RAMNAGAR District- West Champaran

Nandlal Mahto S/o Late Shiv Mangal Mahto R/o Village- Dhangar Toli, P.S.-
Ramnagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered under Sections 30(a), (b), (c) of Bihar Excise Act.

3. As per the prosecution case, a secret information having been received that illegal liquor is being prepared in some houses at Dhangar Toli, a raid was conducted and total 18 litres country made liquor along with incriminating articles were recovered from the different houses of the accused persons. It is alleged that one gas cylinder, one gas *Chulha* and two *Tasla* (Pots) were recovered from the house of this petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Further submission is that there is no recovery of any illicit liquor from the house of this petitioner. Only on the basis that the petitioner has two criminal antecedents of similar nature, he has been made accused in this case. The house of the petitioner



was not searched in the presence of independent witnesses. Similarly situated co-accused persons namely, Ramawati Devi, Godhani Devi and Shri Pati Devi have already been granted anticipatory bail by a Co-ordinate Bench of this Court *vide* orders dated 30.04.2025 passed in Cr. Misc. Nos. 11086 of 2025 and 2363 of 2025 respectively. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge, Excise, Bagaha, West Champaran in connection with Ramnagar P.S. Case No. 452 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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