

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32182 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- BACHHWARA District- Begusarai

Satrudhan Mahto S/o Yugeshwar Mahto @ Jugeshwar Mahto R/o Village-
Suro Mallah Toli, P.S.- Bachhwara, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Bachhwara P.S. Case No. 121 of 2025 registered for the alleged offence under Section 30(a) of Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received secret information about petitioner selling illicit country made liquor near a Line Hotel. A raid was conducted and on coming to know about approaching police party, two persons fled away from the spot and one of them was identified by local *Chowkidar* as this petitioner. From the spot, recovery of 50 liters of country made *Mahua* liquor was made.

04. Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. No recovery of any incriminating article has been shown from the petitioner and for this reason, no offence under the provisions of Bihar Prohibition & Excise Act is made out against the petitioner. The recovery of illicit liquor is stated to be made from a maize field but the said land situated far away from the house of the petitioner, which is an open place and accessible to all. The said land does not belong to this petitioner. The petitioner is having clean antecedent.

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

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and also considering his clean antecedent with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Begusarai/court concerned in connection with Bachhwara P.S. Case No. 121 of 2025, subject



to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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