

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40742 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- MUSRIGHRARI District- Samastipur

1. Sri Kishuni Mahto @ Kishun Kumar Mahto @ Kishuni Mahto Son of Nirdhan Mahto R/O Vill.- Salempur, P.S.- Musrigharari, District - Samastipur
2. Saroj Das @ Saroj Kumar Son of Ramchandra Das R/O Vill.- Salempur, P.S.- Musrigharari, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, 68.22 liters of illicit liquor was recovered from the seized motorcycles.

4. Learned counsel for the petitioners submits that no incriminating material has been recovered from conscious possession of these petitioners. Petitioners have been made accused in this case only on suspicion.

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



bail and submits that petitioner no. 2 has got two criminal antecedents of the similar nature.

6. Considering the fact that petitioner no. 2 has got two criminal antecedents of the similar nature, prayer for anticipatory bail of the petitioner no. 2 is refused.

7. However, considering the nature of accusation and clean antecedent, the anticipatory bail is allowed with regard to petitioner no. 1. and it is ordered that let the above named petitioner no. 1 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged 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 Exclusive Special Excise Court No.-1, Samastipur in connection with Musarigharari P.S. Case No. 65 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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