

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47171 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- SIRISIYA District- West Champaran

Ragho Mahto @ Radho Mahato S/o Late Rameshwar Mahto Resident of
Village- Garbhuawa Lala Tola, P.S.- Sirisiya, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Sirisiya P.S. Case No. 80 of 2025 registered on 15.05.2025 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution, total recovery of 35 liters illicit country made liquor is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. It is contended that the petitioner's name has been implicated solely on the basis of suspicion by the local Chaukidar, and there is no substantive evidence against him. It is further submitted that no recovery has been made from the conscious physical possession



of the petitioner. However, it is not disputed that the petitioner is an accused in four other criminal cases.

5. Learned APP for the State opposes the prayer for bail and submits that the antecedents of the petitioner are not clean, as he is an accused in four other criminal cases of a similar nature, which indicates his involvement in the illicit liquor trade.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Sirisiya P.S. Case No. 80 of 2025, pending before the learned Special Judge (Excise) I, Bettiah, West Champaran is hereby rejected.

6. However, if the petitioner surrenders before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner's anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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