

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45129 of 2025

Arising Out of PS. Case No.-330 Year-2024 Thana- SANGRAMPUR District- East
Champaran

Bharat Mahto S/o Late Hari Mahato @ Hari Mahto Resident of Village -
Sangrampur Dih, P.S. - Sangrampur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 01-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Sangrampur P.S. Case no. 330 of 2024
instituted for the offence under Section 30(a) of the Bihar
Prohibition of Excise Act.

3. Prosecution case relates to recovery of 4 litres of
illicit liquor from the courtyard of co-accused Sarvesh Bhagat
and he was apprehended on spot. On query, he disclosed the
name of this petitioner as supplier of the said liquor.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused, namely, Sarvesh Bhagat, before the police, which has got no evidentiary value in the eye of law. Provision of Section 103 B.N.S.S. has not been followed by the police officials while preparing the seizure list. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sangrampur P.S. Case no. 330 of 2024, he will 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 learned Special Judge, Excise Court No.-1, East Champaran at Motihari subject to



the conditions as laid down under section 482 of the B.N.S.S.

(S. B. Pd. Singh, J)

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