

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51962 of 2025

Arising Out of PS. Case No.-226 Year-2025 Thana- RAJNAGAR District- Madhubani

Ashok Kumar Mahto @ Ashok Mahto S/O Mahavir Mahto R/O Village-
Salempur, P.S.- Pandaul, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Soban Asghar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with G.R. No. 741 of 2025, arising out of Rajnagar P.S. Case No. 226 of 2025, instituted under Sections 274, 275 of the B.N.S. and Section 30(a) of the Bihar Prohibition & Excise Act.

3. There is recovery of 48 litre country made liquor from two bags tied at the back of motorcycle which was driven by co-accused Md. Gulam.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being owner of the said motorcycle. Nothing has been recovered from the conscious possession of the petitioner. Petitioner was not present on the spot. Petitioner, in good faith, had given his



motorcycle to co-accused which was misused by him. Petitioner has no concern with the seized liquor. Petitioner has no criminal antecedent. He undertakes to co-operate 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 submission 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-cum-Special Judge, Excise Act, Madhubani in connection with Rajnagar P.S. Case No. 226 of 2025, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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