

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53236 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- PANDAU District- Madhubani

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Santosh Kumar Mahto @ Diana @ Santosh Mahto Son of Mahendra Mahto
Resident of village- Sarisabpahi PS -Pandaul District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 25.92 litres of foreign liquor was recovered from seized motorcycle.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the vehicle in question and has been made an accused in this case merely on suspicion. Nothing has been recovered from the conscious possession of this petitioner.

5. On the other hand, learned A.P.P. for the State has



vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that huge quantity of liquor was recovered from the seized vehicle. Petitioner has got three criminal antecedents.

6. Considering the nature of accusation, recovery of huge quantity of illicit liquor from the seized vehicle and fact that petitioner has got three criminal antecedents, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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