

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54500 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- Hariharnath P.S. District- Saran

Suraj Mahto S/O Yogendar Mahto Village- Khoksha Kalpan, P.S.- Desri,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 35
litres of illicit liquor from the motorcycle of the petitioner. The
driver of the said motorcycle was managed to flee away from
the spot after seeing the police.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Further submission is that petitioner had already sold the
seized motorcycle to one Mithlesh Kumar Rai on 26.12.2023
and in this regard, he has attached sale deed at Annexure-1 to
the bail application. Petitioner has no concern with the seized



illicit liquor and nothing has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent and he undertakes to cooperate 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 submissions 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 bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Judge-II, Saran at Chapra in connection with Hariharnath P.S. Case No. 17 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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