

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53640 of 2025

Arising Out of PS. Case No.-142 Year-2025 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Sumit @ Sumit Kumar, S/O Manoj Mahto @ Manoj Kumar Mahto @ Rupa,
R/o Mohalla Laxmisagar under Chunabhatti Pool, Ward No. 14, P.S.-
L.N.M.U., District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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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 connection with
L.N.M.U. P.S. Case No. 142 of 2025 for the offence registered
under Section 30(a) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, 288 litres of Nepali
liquor was recovered from the *Khandhar* situated at Mohalla
Laxmisagar Road No. 3 and it is alleged that the same is kept
there by co-accused Sonu Mahto and Sumit Kumar (petitioner).

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Petitioner was neither present on the spot nor any
incriminating article has been recovered from the conscious



possession of the petitioner or from the house of the petitioner. The illicit liquor which was seized from the place, is a *khandhar* which is an open place and accessible to everyone. Further submission is that petitioner has no concern with the seized liquor. Petitioner has no criminal antecedent. 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 aforesaid 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 each to the satisfaction of the learned Exclusive Special Judge-II (Excise Act), Darbhanga, in connection with L.N.M.U. P.S. Case No. 142 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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