

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57567 of 2025

Arising Out of PS. Case No.-286 Year-2025 Thana- PAKRIDAYAL District- East Champaran

Surendra Mahto S/o Hari Narayan Mahto Resident of Pakaridayal, Ward no.
5, P.S- Pakaridayal, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore Alias Kundan Kumar, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-09-2025 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, 50 litres of country
made liquor was recovered from the shop of co-accused Amar
Kumar who was apprehended on the spot. It is alleged that this
petitioner fled away from the spot identified by *Chaukidar*.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case merely on the disclosure statement of *Chaukidar*. Further
submission is that petitioner is not the owner of the shop in
question from where the recovery of illicit liquor has been
made. Petitioner has no concern with the seized illicit liquor.



Nothing has been recovered from the conscious possession of the petitioner. Except the disclosure statement of *Chaukidar*, there is nothing material against 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 each to the satisfaction of the learned Exclusive Special Excise Court No. 3, Motihari, East Champaran in connection with Pakaridayal P.S. Case No. 286 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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