

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58862 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Ajay Kumar @ Ajay Mahto S/o Rameshwar Mahto, R/o Village-
Khanjahanpur, Ward No. 01, P.S.- Cheriya Bariarpur, District – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate.
For the Opposite Party/s : Ms. Sharda Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Cheriya Bariyapur P.S. Case No.111 of 2025 instituted
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
28.800 litre illicit foreign liquor from straw house situated near
the house of petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the basis of disclosure made by the local
Chaukidar. He further submits that the petitioner was not
present on the spot and no incriminating article has been



recovered from his conscious possession. Learned counsel submits that the alleged recovery has been made from the straw house which is adjacent to the house of petitioner and easily accessible to all which is an open joint family property. He further submits that petitioner has got clean 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 aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court 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 Judge-1st, Begusarai in connection with Cheriya Bariyapur P.S. Case No.111 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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