

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59075 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- BALIGAON District- Vaishali

1. Rajesh Mahto S/o Ramavatar Mahto R/o Village- Bishanpur Kateshar, P.S.- Baligaon, District- Vaishali
2. Navin Kumar @ Ravin Kumar S/o Rajesh Mahto R/o Village- Bishanpur Kateshar, P.S.- Baligaon, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-09-2025 Heard Mr. Anish Kumar, learned counsel appearing on behalf of the petitioners and Mr. Kalyan Shankar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Baligaon P.S. Case No. 114/25 registered for the offence(s) punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 222.48 litres of illicit liquor was recovered behind the house of the petitioners.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have



falsely been implicated in the present case. Names of the petitioners have surfaced in this case on the basis of confessional statement of co-accused/Pankaj Kumar and confessional statement made before police has no evidentiary value. It is further submitted that recovery of illicit liquor is from the outside of the dwelling house of the petitioner, which is easily accessible by anyone. Petitioners have clean antecedents.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and also the fact that recovery of illicit liquor is from the outside of the dwelling house of the petitioner, which is easily accessible by anyone, I am of the opinion that petitioners, who are having clean antecedents, have, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise



Court 1st-cum-Additional District & Sessions Judge, Vaishali at Hajipur / Concerned Court in connection with Baligaon P.S. Case No. 114/25, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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