

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60858 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- RAUTARA District- Katihar

Shekhar Mahto @ Chandra Shekhar Kumar S/O Rajendra Mahto Resident of
Village- Baharkhal, Ward No. 07, P.S.- Rautara, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

3. There is recovery of 154.250 litres of illicit liquor from
the bush situated near *culvert* which is open place.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case on the basis of secret information. Nothing has been
recovered from conscious possession or from the house of
petitioner. Petitioner has no concern with the seized illicit liquor.
The alleged recovery has been made from the bush situated near
culvert which is open place accessible to the public at large.
There is no independent witness of the seizure list. Petitioner



has one criminal antecedent of similar nature in which he is on bail and he undertakes to cooperate in the investigation and the 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 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Court concerned, Katihar in connection with Rautara P.S. Case No.117 of 2025, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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