

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60904 of 2025

Arising Out of PS. Case No.-1 Year-2021 Thana- Excise P.S. District- Begusarai

Navin Kumar @ Chhotu Mahto, S/o Sahdev Mahto @ Sahdeo Mahto, R/o
Village- Lakho, Nipania Tola, Ward No 3, P.S.- Muffasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, 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 his arrest in connection with Begusarai Excise P.S. Case No. 01 of 2021, instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. There is recovery of 363 litres foreign liquor from the white color Bolero Pick Up van and 43.200 litres foreign liquor was recovered from the bagan of the house of co-accused Kiran Devi who disclosed the name of the petitioner that he provided illicit liquor to her.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case on the basis of disclosure statement of co-accused Kiran Devi. Petitioner was not present on the spot. No incriminating



material has been recovered from his possession. He has no concern with the seized liquor or Bolero Pick Up van. He was neither the driver nor the owner of the vehicle in question. Petitioner has two criminal antecedents out of which one belongs to Excise Act in which he is on bail. He undertakes to co- operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Begusarai, in connection with Begusarai Excise P.S. Case No. 01 of 2021, subject to the conditions laid down in Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023, with further conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

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