

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64099 of 2025

Arising Out of PS. Case No.-387 Year-2025 Thana- ARA NAGAR District- Bhojpur

Sonu Mahto @ Sone Lal Mahto @ Sonelal S/O Motilal Mahto @ Moti Lal Mahto @ Motilal R/O Village- Ibrahimnagar, P.S.- Ara Town, Distt.- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Mili Kumari Mr. Shashank Shekhar
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Ara Town P.S. Case No. 387 for the offence under Sections Sections 30(a) of the Bihar Prohibition and Excise Amendment Act lodged on 19.06.2025 by the informant, Amrit Raj.

3. As per the prosecution story, the informant alleged that an orchard was raided, there is recovery of 15 liters of Mahua liquor. Raju Kumar was apprehended and he gave the name of this petitioner. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, he has been implicated in this case. He has no role to play in the alleged recovery which is



from an open place.

5. Mr. Bharat Bhushan, learned APP opposes the prayer submitting that the apprehended person has named the petitioner.

6. Taking into account the submissions of the parties as also that the recovery is from an open place and nothing has been recovered from the conscious possession of the petitioner, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Bhojpur, Ara in connection with Ara Town P.S. Case No. 387/2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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