

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65974 of 2025

Arising Out of PS. Case No.-228 Year-2024 Thana- DHANAHA District- West Champaran

Ramesh Mahto S/o Sakal Mahto R/o Village - Muriyar Ganairi, P.S - Sakra,
District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aakash Choudhary

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Dhanha P.S. Case No. 228 of 2024 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution story, on 24.10.2024, while Umar Farook and other police personnel were checking vehicles, they signaled a speeding Hyundai Santro to stop. The car initially tried to flee but was intercepted. Upon questioning, the driver, Bablu Paswan, revealed that he had been asked by Chottu Paswan to bring liquor from Uttar Pradesh. A search of the vehicle recovered 122.76 liters of foreign liquor, and a seizure list was prepared according to law. Locals gathered at



the scene during the incident.

4. Learned counsel for the petitioner submits that his name has surfaced only on the basis of the fact that the seized vehicle is said to be registered in the name of this petitioner while the learned counsel for the petitioner submits that he had already sold the said car to one Shail @ Sahili and the petitioner has got nothing to do with the alleged illicit liquor or the vehicle in question. The petitioner was not even present at the alleged place of occurrence rather his name has surfaced only on the basis of suspicion and no incriminating article has been recovered from his conscious possession. It has next been submitted that the co-accused person, namely, Chhotu Yadav @ Sarvajeet Kumar has already been granted bail by this Hon'ble Court vide order dated 24.04.2025 in Cr. Misc. No.24779 of 2025, whose name had surfaced on the basis of confessional statement of Babloo Yadav, who was driver of the said car and was arrested on the spot by the Police officials.

5. Without accepting the guilt, learned counsel for the petitioner proposes to deposit Rs.10,000/- in the welfare account of the Advocate Association of the Patna High Court.

6. Learned APP for the State opposes the prayer for anticipatory bail application.



7. Regard being had to the submission made by the parties, taking into consideration the fact that neither the illicit liquor has been recovered from the conscious possession nor the petitioner was present at the alleged place of occurrence and the co-accused person, namely, Chhotu Yadav @ Sarvajeet Kumar has already been granted bail by this Hon'ble Court , accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

8. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below 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 Court of Special Judge Excise, Bagaha, West Champaran, in connection with Dhanha P.S. Case No. 228 of 2024 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023 and on production of the receipt showing deposit of Rs. 10,000/- as proposed on behalf of the petitioner.

(Ajit Kumar, J)

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