

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64735 of 2025

Arising Out of PS. Case No.-190 Year-2025 Thana- HARLAKHI District- Madhubani

=====

Bikes Mahto @ Vikesh Mahto @ Vikesh kumar S/o Vinod Mahto R/o Vill-
Rampur Ward No.17, P.O. - Rampur, P.S. - Harlakhi, District - Madhubani,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Harlakhi P.S. Case No. 190 of 2025 for the offence under sections 274, 275 and 3(5) of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act lodged on 06.07.2025 by the informant, Ramen Nath.

3. As per the prosecution story, the informant alleged that on secret information, the motorcycle was intercepted on NH-227 and there is recovery/seizure of 144 liters of Nepali liquor. The arrested persons disclosed that he took the delivery from Sudhir Mahaseth and Ranveer Mahaseth and was supposed to deliver it to the petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that



neither he has criminal antecedent nor the motorcycle belongs to him, only because of confessional statement, implicated.

5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that arrested person named him.

6. Taking into account the submissions of the parties as also the fact that neither he owns the motorcycle nor he has criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. If, however, it is found that contrary to the statement made in paragraph-3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. 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 Court of Exclusive Special Judge Excise Act, Madhubani in connection with Harlakhi P.S. Case No. 190 of 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)

Adnan/-

U		T	
---	--	---	--

