

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67989 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- SIRISIYA District- West Champaran

Saheb Mahto @ Sahab Kumar S/o- Sandesh Mahto, Resident of village-
Turhapatti Ward No.2, P.S.- Sirisiya District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-10-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehend arrest in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 40 litre
illicit country made liquor near the Dam. It is alleged that the
petitioner fled away from the spot on seeing the police team.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the basis of suspicion. He further submits there is
no legal evidence or cogent material available on record to
connect the petitioner with the alleged offence. Learned counsel
submits that no incriminating article has been recovered from
the conscious possession of petitioner. He further submits that
petitioner was not present on the place of recovery and he has



no concern with the alleged seized liquor. Learned counsel submits that except the disclosure made by the *Chaukidar*, there is no material against the petitioner. He further submits that there is no independent witness to the seizure list. Learned counsel submits that petitioner has got clean antecedent and he undertakes to cooperate in the investigation and trial.

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

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Sirisiya P.S. Case No.133 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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