

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66639 of 2025

Arising Out of PS. Case No.-244 Year-2025 Thana- ADAPUR District- East Champaran

Jitendra Mahto S/o Brahamdeo Mahto R/o Village - Brahmpura, P.S -
Banjaria, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Renuka Ratnakar (APP125)

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Adapur P.S. Case No. 244 of 2025 registered for the alleged offences Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, on receipt of information about transportation of illicit liquor, police reached at the spot and found a person riding motorcycle carrying a bag on the motorcycle. Another person was carrying sack on his head. On seeing the police party, both of them tried to run away but they were apprehended after chase. The petitioner is the person on the motorcycle and from the bag tied with the motorcycle, recovery of 100 liters of country made liquor was made and



from the sack being carried by the co-accused, further recovery of 52 liters of country made liquor was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been arrested merely on suspicion. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the motorcycle in question from which recovery of illicit liquor has been shown. The petitioner is having antecedent of one case in which he is on bail. The petitioner is in custody since 01.07.2025 and charge -sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, East Champaran at Motihari/court concerned in connection with Adapur P.S. Case No. 244 of 2025, subject to the conditions mentioned in



Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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