

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69469 of 2025

Arising Out of PS. Case No.-191 Year-2025 Thana- SIMRI District- Darbhanga

Nathuni Mahto S/o- Late Shatrughan Mahto R/o - Madhopur, P.S - Simari,
District - Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Simari P.S. Case No. 191 of 2025, instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. On secret information regarding storing and selling of illicit liquor by the petitioner in his house, police team reached there and recovered 43.68 litres of illicit liquor from his house. Petitioner is alleged to have fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case at the instance of *Chaukidar*. Petitioner was not present on the spot. Nothing has been recovered from the conscious possession of the petitioner. Place of recovery does not belong



to the petitioner rather the same belongs to his co-sharer. Petitioner has no concern with the seized liquor. Petitioner has one criminal antecedent which is of similar nature. Petitioner undertakes to co-operate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the Petitioner, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-II (Excise Act), Darbhanga in connection with Simari P.S. Case No. 191 of 2025, subject to the conditions laid down in Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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