

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80118 of 2025

Arising Out of PS. Case No.-417 Year-2025 Thana- CHAKIA District- East Champaran

Hari Mahto @ Hari Dhangar, S/o Langtu Mahto R/o vill - Ambedkar Nagar,
P.S.- Chakia, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shamir Mehra, Advocate.
For the State : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Chakia P.S. Case No. 417 of 2025 dated 21.07.2025 registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise (Amendment) Act, 2016.

3. As per allegation, the petitioner had concealed illicit liquor at the back side of his house. When the Police reached there, they found 110 litres of illicit liquor concealed in fire wood.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that recovery has been made not from



the house of the petitioner but from the back side of his house which is accessible to public at large. He further submits that the case of the petitioner is based only on hear say and suspicion. Hence, there is no *prima facie* case made out against the petitioner.

5. It is also stated in paragraph No. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph No.3 of the bail petition that the petitioner has been made accused in another case of similar nature.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering that no *prima facie* case is made out against the petitioner, **this petition is allowed**, directing the petitioner above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned court below, in connection with Chakia P.S. Case No. 417 of 2025,



subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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