

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86387 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- Hattha District- Muzaffarpur

Mahesh Singh Son of Late Aklu Singh Village -Sundarpur Ratwara PS
-Hattha Distt -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2025 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Hattha Police Station Case No. 114 of 2025, disclosing offences under Sections 30(a) and 41 of Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that on 08.10.2025, around 1:00 hrs. at night, on patrolling duty, police received confidential information that wine businessman, namely, Mahesh Singh (petitioner) has hidden illicit liquor near his house. On such information, police proceeded towards the place of occurrence. On seeing the police party, one person started



fleeing fleeing away from the house and managed to escape after attempting to chase. On search, total 4.5 litres of Indian made foreign liquor was recovered from the plastic bag near the north side of the house of the petitioner.

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. Recovery has been made from the north side of the house of the petitioner, which is an open space, accessible to all and sundry. Nothing has been recovered from the conscious possession of the petitioner.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that recovery has been made from an open space which is accessible to all and sundry, nothing has been recovered from the conscious possession of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Court No.-II, Muzaffarpur, in connection with Hattha Police Station Case No. 114 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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