

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9881 of 2026

Arising Out of PS. Case No.-313 Year-2025 Thana- JALALPUR District- Saran

Ranjit Mahto @ Ranjit Kumar Mahto S/O Dharmdeo Mahto @ Dharmdev
Mahto R/o Village- Inamipur, P.S.- Jalalpur, District- Saran at Chapra
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Pandey

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2026 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Jalalpur P.S. Case No.313 of 2025 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engage in illegal trading/manufacturing of illicit liquor, where, there is recovery of 131 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor is made from the bushes near Inamipur Canal i.e., an open place easily accessible by general public, where nothing recovered from the conscious physical possession of the petitioner. While concluding the argument, it is submitted that merely on the ground of criminal antecedents, as petitioner found involved in 12 more cases, where he is on bail, prayer of bail of petitioner should not ordinarily be



rejected, if merit of this case appears in favour of petitioner. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari Vs. State of Uttar Pradesh and Another, [(2020) 11 SCC 648]**.

5. Learned APP, opposes the prayer for bail.

6. In view of the facts and circumstances as mentioned above as recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-cum-2nd Exclusive Special Judge Excise, Saran at Chapra/concerned trial court where the case is pending in connection with Jalalpur P.S. Case No.313 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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