

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14941 of 2026

Arising Out of PS. Case No.-41 Year-2026 Thana- SURSAND District- Sitamarhi

Shiv Dhyan Mahto S/o- Lakhi Chand Mahto Resident of village- Madhesara
PS- Sonbersa Dsitt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sursand P.S. Case No. 41 of 2026, instituted under Sections 274, 275 of the B.N.S. and Sections 30(a), 36 and 41 of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of 2970 litres of illicit liquor from the Mahindra Pick-up van. Driver of the vehicle, namely, Ram Jinish Rai, managed to flee away.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being owner of the said Pick-up van. Nothing has been recovered from possession of the petitioner. It is submitted that



petitioner had given the said pick-up van to co-accused, namely, Ram Jinis Rai. Petitioner has no concern with the seized liquor. He had no knowledge about the seized liquor. He has no criminal antecedent. Petitioner undertakes to co-operate in the investigation and trial.

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

6. Considering the facts and circumstances of the case, submission of learned counsel for the parties and clean antecedent of the petitioner, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Special Excise Court-II, Sitamarhi in connection with Sursand P.S. Case No. 41 of 2026, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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