

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16790 of 2026

Arising Out of PS. Case No.-187 Year-2019 Thana- MAJHAULIA District- West Champaran

Mohan Dhangad @ Mohan Mahto S/o Horil Dhangad @ Horil Mahto
Resident of Village - Lalsaraiya Bakhariya, Dhangad Toli, P.S.- Majhauilya,
District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sitesh Kashyap, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Manjhaulya P.S. Case No. 187 of 2019 instituted for the offences punishable under Sections 30(a), 37(c) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 30 litres of liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of confessional statement of the apprehended co-accused. Learned counsel further submitted that petitioner has no knowledge and concern with the alleged recovery. Learned counsel further



submitted that the alleged recovery has been made from the house of the petitioner where other family members also reside. Learned counsel, therefore, submitted that prima-facie, no case is made out against the petitioner. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also since the recovery has been made from the house of the petitioner, in my view, this is not a fit case for anticipatory bail, and hence, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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