

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18526 of 2026

Arising Out of PS. Case No.-329 Year-2024 Thana- KORHA District- Katihar

Barun Kumar Mahto S/o Ram Narayan Mahto R/o Bishanpur, PS- Rautara,
Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2026 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 Korha Police Station Case No. 329 of 2024, disclosing offences under Section 30(a) of Bihar Prohibition and Excise Act, 2022.

3. The prosecution case, in brief, is that on 02.12.2024, informant on secret information, apprehended two persons on a black Splendor motorcycle bearing Registration No. BR11AP9515 (petitioner's motorcycle), carrying liquor, and on search total 8.5 litres of foreign liquor was recovered from them.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case due to ulterior motive. The named accused, Ajeet Kumar Mahto and Ajay Kumar, were apprehended by the police on a motorcycle bearing Registration No. BR11AP9515, which belongs to the petitioner and was taken by them for urgent work. The name of the petitioner has come only on the basis of registered owner of the motorcycle. Nothing has been recovered from conscious physical possession of the petitioner. Petitioner is having no criminal antecedent.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and the liquor has not been recovered from the conscious possession of the petitioner and the motorcycle of the petitioner was borrowed by co-accused, 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 Excise Court-II, Katihar, in connection with Korha Police Station



Case No. 329 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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