

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22661 of 2026

Arising Out of PS. Case No.-785 Year-2025 Thana- DARIYAPUR District- Saran

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1. Ranjan Mahto @ Ranjan Kumar Mahto S/o Bujali Mahto R/o Village-Adamur, PS- Dariyarpur, Distt- Saran
 2. Sunil Mahto S/o Budhan Mahto R/o Village- Adamur, PS- Dariyarpur, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners are apprehending arrest in connection with Dariyapur P.S. Case No. 785 of 2025 lodged on 14.12.2025, for the offence punishable under Sections 30(a), 30(c), 34 & 36 of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending in the Court of Additional Sessions Judge-cum-Exclusive Special Court Excise Act-I, Saran at Chapra.

3. As per the prosecution, FIR has been lodged against



four named accused persons including the present petitioners. Total recovery of 115 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that nothing has been recovered from the conscious possession of the petitioners and the said recovery has been made from an open place which is accessible to all. Counsel submits that the name of the petitioners have figured in this case only by virtue of the disclosure made by apprehended accused person. Counsel further submits that the petitioner no.2 has two criminal antecedents and the petitioner no.1 has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners stand rejected.

7. However, if petitioners surrender before the concerned Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on their surrender-cum-bail application on the same day, without



being prejudice that the anticipatory bail of the petitioners have been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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