

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20814 of 2026

Arising Out of PS. Case No.-175 Year-2026 Thana- ARA NAGAR District- Bhojpur

Harish Kumar Son of Late Bharat Prasad Mahto @ Bharat Mahto Resident of
village- Rauza Mohalla, Ps- Ara Town, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ali Muqtadir Ahmad, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Ara Town P.S. Case No.175 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution, in short, is that near Mokoka School, 32.4 liter of country made foreign liquor and 255 liter of country made *mahua* liquor, altogether 287.4 liter of illicit liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that the name of this petitioner has surfaced on the basis of statement of spy. It has further been submitted that nothing has been recovered from the possession of this petitioner. Learned counsel for the petitioner has further



submitted that from perusal of the seizure list it is clear that the recovery was made from an open place. Learned counsel for the petitioner has further submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. Learned counsel for the petitioner has further submitted that the petitioner is having no criminal antecedent and he is in judicial custody since 04.03.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Exclusive Special Excise Court-I, Bhojpur at Ara in connection with Ara Town P.S. Case No.175 of 2026.

(Ashok Kumar Pandey, J)

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