

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26227 of 2026

Arising Out of PS. Case No.-120 Year-2026 Thana- KAUWAKOL District- Nawada

Mahendra Saw S/o Jagarnath Saw, Resident of Village - Rupau, P.S. - Rupau,
District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate.

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-04-2026 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kawakol P.S. Case No.120 of 2026 instituted under Section 111(2) of the B.N.S., 2023 and under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 750 liters country made liquor and 1 black color motorcycle alongwith one mobile from the jungle near Daniya Villaged. It is alleged that petitioner with the help of other co-accused persons are involved in the sale and purchase of illicit liquor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case only on the basis of disclosure statement made by the co-accused Suraj Kumar @ Gorelal with ulterior motive. He further submits that except the disclosure statement of the co-accused, there is no



material against the petitioner. Learned counsel submits that no incriminating article has been recovered from the conscious possession of petitioner and he has no concern either with the alleged seized liquor or with the seized motorcycle. He further submits that petitioner has got clean antecedent and he undertakes to cooperate in the investigation and trial of the case.

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

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner as well as his clean antecedent, 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/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Court-2, Nawada/ concerned Court in connection with Kawakol P.S. Case No.120 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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