

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25078 of 2026

Arising Out of PS. Case No.-46 Year-2026 Thana- TURKAULIYA District- East Champaran

Asharfi Mahto @ Ashrphi Mahto Son of Thakur Mahto Resident of Village -
Semra Belwatiya, P.S. - Turkauliya, Dist. - East Chamapran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-04-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Turkauliya P.S. Case No. 46 of 2026 registered for the offence punishable under Sections 274 and 275 of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act, as amended upto date.

3. Allegation is of recovery of 20 litres of country made liquor from a bag which is said to be thrown by the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the case due to enmity. He has no concern either with the seized liquor or trade of liquor in any manner. The place of recovery is an open place which is accessible to anyone. The petitioner has clean antecedent.



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

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R. and the fact that recovery is from an open place which is accessible to anyone, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending in connection with Turkauliya P.S. Case No. 46 of 2026, subject to the condition as laid down under Section 438(2) of the Cr.P.C / Section 482 (2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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