

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34127 of 2026

Arising Out of PS. Case No.-205 Year-2024 Thana- RAJAPAKAR District- Vaishali

Sakaldev Mahto Son of Late- Fakira Mahto R/o Village- Fakuli, Ward No. 6,
P.S.- Kudhani (Fakuli O.P.), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No. Ii
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 08-06-2026 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Rajapakar (Baranti O.P.) P.S. Case No. 205 of 2024 registered for the offences punishable under Section 30(a) of Excise Act, 2022.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 240 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that recovery of alleged illicit



liquor was made from Alto car bearing registration no. BR31E 6088, but due to technical reason as petitioner is still the registered owner of the Alto Car he was implicated with present case. It is submitted that the car, in issue, was already sold by petitioner to one Mukesh Kr. Sah on 27.08.2016, for which a sell letter was prepared by both the parties. It is further submitted that the recovery of alleged illicit liquor was not made from the conscious physical possession of this petitioner. Petitioner claimed clean antecedent.

5 Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as recovery of alleged illicit liquor *prima-facie* not appears to be made from the conscious physical possession of the petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned District and Addl. Sessions Judge cum Spl. Judge Exclusive Excise court II, Vaishali at Hajipur /concerned Court, where the case is pending in connection with Rajapakar (Baranti O.P.) P.S. Case No. 205 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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