

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38860 of 2026

Arising Out of PS. Case No.-81 Year-2026 Thana- PANAPUR District- Saran

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Suraj Mahto @ Suraj Kumar Mahto S/o Muni Mahto @ Munni Mahto
Resident of vill- Methaura, P.O.- Dubauli, P.S.- Panapur, Distt.- Saran at
Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard Mr.Jeetendra Narayan, learned counsel for the

petitioner and Mr.Md. Shakir Ahmad, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
24.04.2026 in connection with Panapur P.S. Case No. 81 of
2026, F.I.R. dated 14.03.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2022.

3. Recovery is of 20 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that from a bare perusal of the FIR it appears altogether
20 liters of country made liquor was recovered from behind the
house of the petitioner and petitioner and his family members



have been made accused in the present case and petitioners have been made accused in the present case merely on the basis of suspicion and except the suspicion, nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and co-accused person, namely, Babita Devi @ Shanti Devi & Anr. have been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 17.04.2026 passed in Cr. Misc. No.25633 of 2026 and the petitioner is in custody since 24.04.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries eight more cases other than the present one but he fairly submits that out of eight cases, the petitioner is on bail in five cases, and rest three cases are pending for consideration before the competent court of law, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Court, Saran at Chapra in connection with Panapur P.S. Case No. 81 of 2026, with the following conditions:-



(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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