

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39293 of 2026

Arising Out of PS. Case No.-234 Year-2026 Thana- CHAPRA TOWN District- Saran

Jageshwar Mahato @ Tegar Mahato @ Tengar Mahato S/o Dhrup Mahato R/o
vill-Ward No 4, Nevaji Tola, Dharmsala, Dahiyawan, P.S- Town, Dist- Saran,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan, Adv.

For the Opposite Party/s : Mr. Anil Kr. Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-06-2026 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Town P.S. Case No. 234 of 2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 60 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that alleged recovery of illicit liquor was made from e-rickshaw which is a public transport and as such it can be said safely that recovery of alleged illicit liquor was not made from conscious physical possession of the petitioner and moreover, the name of this petitioner transpired on the



basis of disclosure of the apprehended co-accused person namely, Devanand Prasad. Explaining criminal antecedent, it is submitted that petitioner found involved in three more criminal cases where he is on bail.

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 ASJ cum Exclusive Spl. Court Excise Act I, Saran at Chapra /concerned Court, where the case is pending in connection with Town P.S. Case No. 234 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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