

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40222 of 2026

Arising Out of PS. Case No.-134 Year-2026 Thana- SURSAND District- Sitamarhi

Ramsikil Mahto, S/o Nandlal Mahto, R/o village-Khaiwarea, P.S.- Riga,
Distt.- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Brahmaputa Singh, Advocate

Ms. Poonam Kumari, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Sursand P.S. Case No.134 of 2026 registered under Section 317 (5) of the Bhartiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 135 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for petitioner that motorcycle of petitioner was stolen long back



for which, he visited to police station on several occasions but, no FIR was registered. It is submitted that subsequently that motorcycle was misused by unknown miscreants for carrying illicit liquor. It is pointed out that admittedly recovery of illicit liquor was not made from conscious physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, accordingly, the petitioner, above-named, who is a man of clean antecedent, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.-II, Sitamarhi in connection with Sursand P.S. Case No.134 of 2026, subject



to the conditions as laid down under Section 438(2) of the
CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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