

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38959 of 2026

Arising Out of PS. Case No.-250 Year-2020 Thana- SANGRAMPUR District- East
Champaran

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Sonalal Mahto S/o Rajendra Mahto Resident of village - Koirgawa, P.S-
Sangrampur, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2026 Heard Mr. Abhishek Kumar, learned counsel for

the petitioner and Ms. Anita Kumari, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.02.2026 in connection with Sangrampur P.S. Case No. 250 of
2020, F.I.R. dated 10.10.2020 for the offences punishable under
Section 30(a), 32 and 41(1) of the Bihar Prohibition and Excise
Act, 2018.

3. As per the prosecution case, there is recovery of 8
liters of country made liquor and 300 liters of raw wine was
destroyed at the place of occurrence.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from *Bhatti* and the petitioner has been made accused merely on the basis of disclosure made by local Chowkidar and spy and petitioner was not apprehended at the place of occurrence and except the disclosure made by local Chowkidar and spy nothing has come during investigation, which suggest the involvement of the petitioner in the present offence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 25.02.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries four criminal antecedents other than the present one of similar nature but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matters.

6. Considering the aforesaid facts and circumstances, 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 the learned Exclusive



Special Excise Court No.-1 Civil Court, East Champaran at Motihari, in connection with Sangrampur P.S. Case No. 250 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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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