

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39136 of 2026

Arising Out of PS. Case No.-224 Year-2026 Thana- SURSAND District- Sitamarhi

Jitendra Mahto S/o Siyalal Mahto R/o Village- Sursand Ashok Chowk, P.S-
Sursand, Dist- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sursand P.S. case No. 224 of 2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the informant received an information regarding concealment of liquor in the open field of one Vijendra Pandey. Thereafter, the informant reached the said place and apprehended one person who disclosed his name as Jitendra Mahto (petitioner). Upon search, altogether 252 litres of illicit Nepali liquor was recovered from 7 gunny bags.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It has further been submitted that the admittedly the place of seizure does not belong to the petitioner rather it belongs to one Vijendra Pandey. The recovery has been made from an open place which is accessible to anyone. The petitioner was not apprehended at the spot and nothing has been recovered from the conscious possession of the petitioner. It has also been submitted that the procedure prescribed under Sections 103/105 of the B.N.S.S. has not been followed. Lastly, it has been submitted that the petitioner has one criminal antecedent in which he is on bail and he is in custody since 01.05.2026.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the above facts and circumstances of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi, in connection with Sursand P.S. case No. 224 of 2026.



8. The application stands allowed.

(Praveen Kumar, J)

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