

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39121 of 2026**

Arising Out of PS. Case No.-404 Year-2026 Thana- CHAPRA TOWN District- Saran

Jitendra Mahto S/O Ganga Sagar Mahto Resident of Village - Near Sadhu Lal  
School, Dharmshala Newaji Tola, P.S. - Town, District - Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Adarsh Ranjan, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, 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 Town P.S. case No. 404 of 2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, a total of 145 litres of illicit country-made liquor was recovered from the bank of the river. The petitioner was identified as one of the persons who had fled from the place of occurrence, as disclosed by the nearby people.

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 petitioner



was not apprehended at the spot and nothing has been recovered from his conscious possession. It has further been submitted that the recovery has been made from an open place and the same is accessible to all. It has also been submitted that the procedure prescribed under Sections 103/105 of the B.N.S.S. has not been followed. It has also been submitted that the petitioner has got two criminal antecedents of similar nature of offence but he is on bail in both the cases. Lastly, it has been submitted that the petitioner is in custody since 10.05.2026.

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) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran, in connection with Town P.S. Case No. 404 of 2026.

8. The application stands allowed.

**(Praveen Kumar, J)**

Jyoti/-

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