

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44534 of 2026

Arising Out of PS. Case No.-430 Year-2026 Thana- CHAPRA TOWN District- Saran

Bhim Mahto, aged about 28 years, Gender-Male, Son of Aklu Mahto,
Resident of Village - Roopganj, Adda No- 02, P.S. - Town (Nagar / Chapra
Town), District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Town
(Nagar /Chapra Town) P.S. Case No. 430 of 2026 instituted for
the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2022.

3. As per allegation in the FIR, total 130 litres of illicit
country made liquor has been recovered from the three different
sacks.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He submits that the name of
the petitioner has been surfaced in this case on the basis of
disclosure made by arrested co-accused persons. He further



submits that the petitioner has no concern with the alleged seized country made liquor. He next submits that the alleged spot is an open and public place which does not belong to the petitioner. He lastly submits the petitioner is neither the owner nor the care taker of the alleged spot and the seized sacks. He again submits that nothing incriminating article has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 21.05.2026.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR, seizure list and impugned order of the learned 01st Exclusive Special Excise Court, Saran at Chapra dated 09.06.2026, it appears that petitioner is named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant, FIR has been registered under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022 against the above named petitioner and the allegation is recovery of 130 litres of illicit country made liquor from the three different sacks. Petitioner is in custody since 21.05.2026 and there is no any independent witness of the seizure list, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to



grant regular bail to the above named petitioner.

7. Accordingly the prayer for regular bail of the petitioner is allowed. Let the petitioner above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Special Judge Excise, Saran at Chapra in connection with Town (Nagar/Chapra Town) P.S. Case No. 430 of 2026, subject to the condition that the petitioner shall physically present before the trial Court on each and every date as fixed by the trial Court and if the petitioner is absented, his bail bonds shall be cancelled.

(Ramesh Chand Malviya, J)

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