

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45065 of 2026

Arising Out of PS. Case No.-70 Year-2026 Thana- JURAWANPUR District- Vaishali

Shiv Dayal Mahto, Son of Mishri Mahto, Resident of Village-Raghopur West,
P.S. -Jurawanpur, District -Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Saroj Kumar, Advocate
	Mr. Vasant Vikas, Advocate
For the Opposite Party/s :	Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 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 Jurawanpur P.S. Case No.70 of 2026 registered under 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 2 liters of IMFL/country-made liquor.

5. It is submitted by learned counsel appearing for petitioner that name of petitioner transpired on the basis of disclosure made by apprehended co-accused namely, Vimal Rai. It is submitted that the recovery of alleged illicit liquor



was not made from conscious possession of this petitioner rather same was recovered from a green plastic bottle of co-accused namely, Vimal Rai. It is submitted that the seizure list was not supported by independent witnesses rather by police personnel. While concluding argument, it is submitted that the petitioner found involved in one more criminal case, where he is on bail.

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 physical possession of this petitioner, accordingly, the petitioner, above-named, 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 Prohibition and Excise Court-II-cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Jurawanpur P.S. Case No.70 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.)

Sanjeet/-

U		T	
---	--	---	--

