

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46975 of 2026**

Arising Out of PS. Case No.-89 Year-2026 Thana- CHANAN District- Lakhisarai

Kajru Mahto S/O Mangru Mahto @ Mangru R/O Village- Bhalui Naya Tola,  
P.S.- Chanan, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rabi Bhushan, Advocate  
For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      15-07-2026                      1. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that  
petitioner has antecedent of four cases out of which three cases  
are under the Excise Act but then petitioner was acquitted in two  
cases and allegation is of recovery of 25 litres of liquor from a  
sugarcane field near the house of the petitioner.

4. Learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession and even the alleged  
recovery is from a place which does not belong to the petitioner  
but then is adjacent to his house and he came to be implicated at



the instance of the local person and Chawkidar but then it is submitted that if the local person and Chawkidar were aware of the involvement of the petitioner in the occurrence then why they did not inform the police prior to the institution of the instant FIR which casts an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Chanan P.S. Case No. 89 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than four cases, it would be presumed that petitioner had concealed his



antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner has antecedent of only four cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

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