

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47369 of 2026

Arising Out of PS. Case No.-85 Year-2026 Thana- EXCISE PATORI District- Samastipur

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1. Pinky Devi Wife of Manoj Mahto Resident of Village- Badhauna (Barhauna), Ward No. 07, P.S.- Vidyapatinagar, District- Samastipur.
 2. Manoj Mahto Son of Late Vasudev Mahto Resident of Village- Badhauna (Barhauna), Ward No. 07, P.S.- Vidyapatinagar, District- Samastipur.
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

2 27-06-2026 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The petitioners are apprehending their arrest in connection with Excise Patori P.S. Case No. 85 of 2026 registered for the offences punishable under Sections 30(a) and 45 of the Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioners is that 7 litres of illicit liquor were recovered, out of which 2 litres were allegedly recovered from inside the house, while the remaining 5 litres were recovered from the gate of the house.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is further submitted that the seizure list itself does not satisfy the mandatory requirements of law and, therefore, the alleged



recovery is doubtful. It is also submitted that petitioner no. 1 is a lady, while petitioner no. 2 is the main earning member of the family.

5. Learned APP opposed the prayer of bail.

6. Having considered the rival submissions of the parties and non-adherence to mandatory requirements for making seizure under the law, let the petitioners named above be released on anticipatory bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each of the satisfaction of learned Special Judge Excise-II, Samastipur/concerned court, in connection with Excise Patori P.S. Case No. 85 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS with further conditions:

(i) If petitioner no. 2 indulges in any similar offence in future, the learned court below shall be at liberty to take appropriate steps for cancellation of the bail granted to him in the present case.

(Ranjan Kumar Jha, J)

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