

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51165 of 2026

Arising Out of PS. Case No.-585 Year-2020 Thana- MAJHAULIA District- West Champaran

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Vinod Mahto @ Vindo Mahto @ Vinod Mandal S/o Harilal Mahto R/O
Village- Chanayan Bandh, P.S.- Majhauiliya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2026 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Majhauiliya P.S. Case No. 585 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. At the outset, learned Advocate for the petitioner seeks permission to carry out necessary correction in paragraph 3 of the bail application.

4. Permission is accorded.

5. The prosecution case, in brief, is that acting on a secret information, the police conducted raid at the house of co-accused, Rupesh Mahto, and recovered 732.78 litres of illicit Indian Made Foreign Liquor (IMFL).



6. Learned Advocate for the petitioner submitted that the petitioner is not named in the First Information Report. It is contended that during the course of investigation, the petitioner's name surfaced only in the confessional statement of co-accused, Rupesh Mahto. Save and except the said confessional statement, there is not an iota of material on record to suggest the complicity of the petitioner in the alleged offence. Neither any incriminating material was unearthed during the investigation against the petitioner, nor any illicit liquor was recovered from the whereabouts of the petitioner. It is next contended that the petitioner has been falsely implicated in this case on account of his previous criminal antecedent of a similar nature, as disclosed in paragraph 3 of the bail application.

7. Learned counsel for the State vehemently opposed the prayer for anticipatory bail.

8. Having considered the rival submissions advanced on behalf of the parties and taking note of the fact that the name of the petitioner has surfaced on the confessional statement, besides there is no other material which attracts the rigors provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned



Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court-II, Bettiah, West Champaran/Successor Court in connection with Majhauriya P.S. Case No. 585 of 2020, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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