

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52052 of 2026

Arising Out of PS. Case No.-123 Year-2025 Thana- Excise P.S. District- Saran

1. Munna Mahto @ Munna Chaudhary S/o Narendra Chaudhari @Narendra Chaudhary @ Narendra Mahto R/o Village- Pakka Ghati, Daulatganj, P.S.- Bhagwan Bazar, Dist. Saran
2. Jhagru Mahto S/o Bodha Mahto R/o Vill.- Naviganj Bin Toli Ward No.-05, P.S.- Revilganj, Dist. - Saran

... .. 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. Anand Kishore Choudhary, A.P.P

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Excise Thana Sadar/ Utpad PS/ Sadar Excise P.S. Case No. 123 of 2025 in a case registered for the offence punishable under Sections 30(a) and 32(3) of Bihar Prohibition and Excise Act.

3. As per prosecution, the informant along with police associates conducted a raid. During the course of the raid, the informant reached the Jaan Tola Diyara area, where two persons allegedly abandoned a motorcycle upon seeing the police and fled the spot. Upon reaching the motorcycle, a person present at



the scene allegedly disclosed the names of Munna Mahto and Jhagro Mahto as the individuals who fled. It is further alleged that when the search was made, 60 liters of illicit country-made *chulai* liquor and an unregistered motorcycle were allegedly recovered.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and have falsely been implicated in the present case. The counsel further submits that the petitioners were not present on the alleged spot and nothing to do with the seized liquor and motorcycle.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard the parties and looking into the criminal antecedents of the petitioners, I am not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioners are, hereby, rejected.

8. However, if petitioners surrenders before the concerned Trial Court within a period of six weeks from today then in that case, the Trial Court is directed to pass an order on their surrender-cum-bail application, without being prejudice that the anticipatory bail of the petitioner has been rejected by



this Court and the Trial Court shall pass order on the merit of
this case.

(Alok Kumar, J)

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