IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76512 of 2026

CNR No. BRHC011094802026

Arising Out of PS. Case No.-55 Year-2026 Thana- GORADIH District- Bhagalpur

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1. Pawan Mahto @ Aman Mahto @ Pavan Mahato Son of Vishnu Mahto @ Bishnu Mahto Resident of Village - Harinagar, Tarcha, P.S.- Goradih, District - Bhagalpur.
2. Mohan Mahto @ Dablu Mahto Son of Ganpati Mahto @ Tanno Mahto Resident of Village - Harinagar, Tarcha, P.S.- Goradih, District - Bhagalpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 05-11-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a), 30(b) and 30(c) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 30 liters of liquor along with 2000 liters of semi prepared Jawa Mahua which was destroyed from village Harinagar.

4. Learned counsel for the petitioners submits that

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petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to the petitioners and they came to be implicated at the instance of Chowkidar with whom they are on an inimical term.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) each 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 Goradih P.S. Case No. 55 of 2026 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that any of the petitioners have antecedent of even one case then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had

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concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed with respect to the petitioner who had concealed his antecedent, but after verification if it is found that petitioners are persons with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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