IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77715 of 2026

CNR No. BRHC011101822026

Arising Out of PS. Case No.-727 Year-2026 Thana- CHAPRA TOWN District- Saran

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Rupesh Kumar @ Pandit Mahto son of Raj Kumar Mahto Resident Of Village -Ward No 28 Butan Bari, Rupganj Sahebganj, P.S.- Nagar Thana, District-Saran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Raushan Raj, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Nagar P.S. Case No. 727 of 2026 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that police received secret information that the petitioner is selling illicit liquor near the water tank and on this information, police raided that place and recovered 200 liters of illicit liquor was recovered and seeing the police, petitioner managed to escape from there.

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4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has further submitted that nothing has been recovered from his possession. He has been framed in this case on the basis of suspicion. The seizure was made on the basis of secret information. Petitioner has no concern with the alleged liquor. He was also not apprehended on spot.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner and has submitted that the petitioner is having criminal antecedent of two cases.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner **on bail with a condition that the petitioner shall not indulge himself in similar nature of offences in future.** The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Nagar P.S. Case No. 727 of 2026, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge cum-Exclusive

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Special Court Excise Act-I, Saran at Chapra/ concerned court subject to the conditions as laid down under section 482(2) of B.N.S.S.

(Ashok Kumar Pandey, J)

Shubham/-

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