IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78669 of 2026

CNR No. BRHC011147942026

Arising Out of PS. Case No.-183 Year-2026 Thana- SIRISIYA District- West Champaran

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1. Mahendra Mahto @ Suman Mahto Son of Gharbharan Mahto Resident of Village- Garabhua Lala Tola, P.S.- Sirisiya, District- West Champaran.
2. Surendra Mahto Son of Gharbharan Mahto Resident of Village- Garabhua Lala Tola, P.S.- Sirisiya, District- West Champaran.
3. Gharbharan Mahto Son of Late Prabhu Mahto Resident of Village- Garabhua Lala Tola, P.S.- Sirisiya, District- West Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sirisiya P.S. Case No. 183 of 2026 instituted for the offence under Sections 30(a), 30(c) and 45 of the Bihar Prohibition and Excise Act and u/s 274, 275&3(5) of BNS.

3. The case of the prosecution is that from four bikes, a car and from the backside house of the door, altogether 38.2 liters of illicit country made liquor was recovered.

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4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Learned counsel for the petitioners has further submitted that nothing has been recovered from their possession. They have no concern either with the alleged liquor or with the alleged vehicles. They are not the owner of the said vehicles.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

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 petitioners **on bail with a condition that the petitioners shall not indulge themselves in similar nature of offences in future**. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Sirisiya P.S. Case No. 183 of 2026, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court 1st, Bettiah, West Champaran subject to the

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conditions as laid down under section 482(2) of B.N.S.S,

(Ashok Kumar Pandey, J)

Shubham/-

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