

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90007 of 2025

Arising Out of PS. Case No.-493 Year-2025 Thana- CHAPRA TOWN District- Saran

Praduman Mahto @ Praduman Bind @ Praduman Kumar S/O Jageshwar
Mahto @ Jugeshwar @ Tengar Mahto Resident of Ward No 28 Sonarpatti,
Sahebganj, P.S.- Town, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Town PS Case No. 493 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act and
Section 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that total 80 litres
of liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.



The name of the petitioner transpired in this case on the basis of disclosure made by apprehended co-accused person. Petitioner is not the owner of the motorcycle in question and he has no concern with the same. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has four criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner, therefore, contends that *prima-facie* no case is made out against the petitioner. Other co-accused has been enlarged on regular bail by this Court vide order dated 04.11.2025, passed in Cr. Misc. No. 75667 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner bears four criminal antecedents, that too of the similar nature, hence, he may not be released on anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and specifically taking into account the fact that petitioner bears four criminal antecedents that too of the similar nature, hence, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail to the petitioner is hereby *rejected*.

7. However, if the petitioner surrenders before the



court below within a period of four weeks from today and prays
for regular bail, the same would be considered by the court
below in accordance with law without being prejudiced by the
order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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