

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3884 of 2025

Arising Out of PS. Case No.-212 Year-2024 Thana- KHAJAULI District- Madhubani

Indal Mahto S/o Jageshwar Mahto Resident of Village- Datuar, PS- Khajauli,
Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

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

ORAL ORDER

6 30-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khajauli PS Case No. 212 of 2024 arising out of G.R. Case No.
1356 of 2024 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 84 litres
of Nepali liquor was recovered from bush behind the house of
co-accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that recovery is made from an open place, which is accessible to one and all. It is further submitted that the name of the petitioner has transpired on the basis of confessional statement of co-accused Manish Kumar Singh. The petitioner is in custody since 07.12.2024 and has got five criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khajauli PS Case No. 212 of 2024 arising out of G.R. Case No. 1356 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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