

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4794 of 2025

Arising Out of PS. Case No.-105 Year-2024 Thana- Excise Mashrakh District- Saran

1. Sunil Mahto S/o Baidhnath Mahto @ Baijnath Mahto R/o Village- Dariya Bela, P.S.- Karpuri Gram, District- Samastipur
2. Sunil Kumar Mahto @ Dablu S/o Ramchandra Mahto R/o Village- Gotiyahi, P.S.- Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-02-2025 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioner have preferred this application for grant of regular bail in connection with Mashrakh Excise P.S. Case No. 105 of 2024, dated 08.12.2024, registered for the offences punishable under Sections 30(a), 32 (3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 103.68 litres of illicit foreign liquor was recovered from the Tata Safari.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioner no. 1 is driver of the said



vehicle while petitioner no. 2 is the cleaner of the vehicle in question. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged recovery. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 09.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra, in connection with Mashrakh Excise P.S. Case No. 105 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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