

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10315 of 2025**

Arising Out of PS. Case No.-325 Year-2024 Thana- MANIHARI District- Katihar

=====

Dashrath Kumar Mahto Son of Bagina Mahto village- Naya Tola, Ward no 02,  
PS- Manihari, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

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

ORAL ORDER

2      24-02-2025                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2.      The petitioner seeks bail in connection with  
  
Manihari PS Case No. 325 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 66 liters  
  
liquor was recovered from jute sac, which petitioner was  
  
carrying on his head.

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 petitioner was passerby and he has become the victim of the circumstances. The petitioner is in custody since 17-12-2024 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

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, clean antecedent of the petitioner 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manihari PS Case No. 325 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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