

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10324 of 2025

Arising Out of PS. Case No.-2901 Year-2024 Thana- Excise P.S. District- Patna

Bablu Mahto @ Dablu Mahto @ Babloo Mahto Son of Late Jagdish Mahto
Resident of Village - Nima Chandpura, P.S. - Chandpura, District - Begusarai.
At present Kamla Nehru Nagar, P.S. - Kotwali, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prasoon Kumar, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

**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 Excise P.S. Case No. 2901 of 2024 instituted for the offences under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, the police has recovered total 180 liters of illicit country-made liquor from a Tempo bearing Regd. No. BR01PE-3162. The petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and



has falsely been implicated in the present case merely on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is neither owner nor driver of the alleged vehicle. The petitioner has also no concern with the recovered liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 24.12.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Excise P.S. Case No. 2901 of 2024.

(Rudra Prakash Mishra, J)

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