

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15742 of 2025

Arising Out of PS. Case No.-276 Year-2023 Thana- DHORAIYA District- Banka

Suresh Kumar Mahto @ Suresh Kumar Mahato @ Suresh Kr Mahto S/O
Purendra Mahto Resident Of Village - Kerwar, P.S- Pathargama, Dist- Godda
(Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

ORAL ORDER

2 18-03-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Dho-
raiya PS Case No. 276 of 2023 instituted for the offences under
Sections 420, 467, 468 of the IPC and Sections 30(a), 32(ii) and
41(i) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 952.2
litres of foreign liquor was recovered from Pick-up vehicle.

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 is neither the owner nor the driver of the seized



vehicle. It is further submitted that the name of the petitioner has transpired on the confessional statement of apprehended co-accused person namely, Nitish Kumar Yadav. The petitioner is in custody since 30.01.2025 and has got no criminal antecedent. 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, 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 Dhoraiya PS Case No. 276 of 2023.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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