

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19967 of 2025

Arising Out of PS. Case No.-368 Year-2024 Thana- KOTWA District- East Champaran

Asesar Mahto Son of Sugai Mahto Resident of Village- Vanvirva, P.S.-
Kotwa, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Ranjan, Adv.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kotwa P.S. Case No. 368 of 2024 dated 30.12.2024 registered for the offences punishable u/ss 274, 275 read with Section 3(5) of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 145 litres of Spirit was recovered from the paddy straw of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the



petitioner has no concern with the alleged recovery. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 31.12.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with Kotwa P.S. Case No. 368 of 2024 .

7. The application stands allowed.

(Chandra Prakash Singh, J)

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