

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17514 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Santosh Mallah Son of Sudeshi Malaha @ Sudeshi Mallah Resident of
Village - Etama (Itawan), P.S. - Raushanganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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

ORAL ORDER

2 24-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Excise (Sherghati) PS Case No. 24 of 2025 instituted for the
offences under Sections 30(a) and 32(c) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 65
litres of country made liquor was recovered from Bicycle.

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 seized bicycle does not belong to the petitioner. The petitioner is in custody since 23.01.2025 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 Excise (Sherghati) PS Case No. 24 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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