

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19299 of 2025

Arising Out of PS. Case No.-411 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Kusheshwar Mahto S/O Rupl Mahto @ Purl Mahto R/O Vill.- Damodarpur,
Dumaria, P.S.- Bibhutipur, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate Ms. Pumpy Kumari, Advocate Mr. Megha Kumari, Advocate
For the Opposite Party/s :		Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2025 Heard learned counsels appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Bibhutipur P.S. Case No. 411 / 2024 registered for the offence(s) punishable under Sections 274, 275 of the BNS, Section 30(a) of the Bihar Prohibition and Excise Act and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the allegation made in the FIR, 103.680 litres of illicit liquor was recovered from a car and 3.750 litres of illicit liquor and one country made pistol were recovered from the service centre of Mantoon Mahto.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. Learned counsel referring to the seizure list submitted that alleged recovery of 103.680 litres of liquor was made from a car and remaining illicit liquor and arms were made from the room of the service centre of the Mantun Mahto, where petitioner had gone for washing of his motorcycle. No recovery has been made either from the petitioner or from his motorcycle. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. In the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise 1st, Samastipur or Successor Court in connection with Bibhutipur P.S. Case No. 411 / 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the



petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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