

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19774 of 2025

Arising Out of PS. Case No.-409 Year-2024 Thana- CHAKIA District- East Champaran

Naresh Mahto Son Of Munshi Mahto Village-Ambedkar Nagar Ps-Chakia
District-East Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Ms.Gulnar Begum, APP

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

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Chakia P.S. case No.
409 of 2024 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 300 liters
liquor was recovered from hut and the petitioner was arrested
on spot.

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



further submitted that the hut in question does not belong to the petitioner, the same is an open place accessible to public at large. The petitioner is in custody since 04.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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 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 Chakia P.S. case No. 409 of 2024.

(Rudra Prakash Mishra, J)

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