

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20808 of 2025**

Arising Out of PS. Case No.-129 Year-2025 Thana- Excise P.S. District- Gaya

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Keshav Kumar Mahto @ Keshw Mahto Son of Late Jivlal Mahto Resident of  
Village- Jaru, P.S.- Hulasganj, Distt.- Jehanabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Shailendra Kumar

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

ORAL ORDER

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

2.      The petitioner seeks bail in connection with Excise  
PS Case No. 129 of 2025 instituted for the offences under  
Sections 30(a) & 32(c) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that 49.875 liters  
country made liquor was recovered from tempo.

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. Name of the  
petitioner has surfaced in this case as being driver of the tempo



in question and he was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioner is in custody since 04-02-2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 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 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 PS Case No. 129 of 2025.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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