

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24777 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- BHELDI District- Saran

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1. Vikash Kumar @ Vikas Kumar Son of Darab Mahto@ Dravya lal Mahto
Resident of Village - Pathara, P.S. - Derni, District - Saran
 2. Gyanchand Mahto Son of Sitaram Mahto Resident of Village - Pathara, P.S.
- Derni, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in paragraph no. 1 of the bail
application during course of the day.

3. The petitioners seek bail in connection with Bheldi
P.S. Case No. 32 of 2025, instituted for the offences punishable
under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023 and
Section 30(a) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that, 90 liters
liquor was recovered from motorcycle and the petitioners were
apprehended on spot.

5. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the



present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submits that the petitioners are not the owner of the motorcycle in question. Uncle of the petitioners is the registered owner of the motorcycle in question. The petitioners are in custody since 08.02.2025 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bheldi P.S. Case No. 32 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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