

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21376 of 2025

Arising Out of PS. Case No.-548 Year-2024 Thana- TURKAULIYA District- East
Champaran

Munilal Mahto Son of Chaturi Mahto Resident of village - Belwa Mauje, P.S.-
Turkauliya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar, APP

**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
Turkauliya P.S. Case No. 548 of 2024 instituted for the offences
under Section 317(5) of the Bhartiya Nyaya Sanhita and
Sections 30(a), 41(i), 37 of the Bihar Prohibition and Excise
Act.

3. As per prosecution case, the police has recovered
total 60 liters of illicit country-made liquor from the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case



at the instance of his enemies. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged gallon, liquor or the motorcycle. The petitioner is not the owner of the alleged motorcycle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent of similar nature of offence and is languishing in judicial custody since 26.12.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Bali Yadav has been granted bail by this Court vide order dated 25.03.2025 passed in Cr. Misc. No. 17519 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Turkauliya P.S. Case



No. 548 of 2024.

(Rudra Prakash Mishra, J)

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