

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23916 of 2025

Arising Out of PS. Case No.-144 Year-2024 Thana- Kaler District- Arwal

Baleta Mahto @ Rajdev Mahto R/o Bahadur Mahto R/o Vill- Agnur, P.S.-
Kaler, Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 15-05-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Kaler
P.S. Case No. 144 of 2024 instituted for the offences under
Sections 30(a)/30(c) of the Bihar Prohibition and Excise Act and
Section 25(1-b)a/26 of the Arms Act.

3. As per prosecution case, the police has recovered
total 1.5 liter of illicit country-made liquor as well as one
country-made pistol from the house of the petitioner.

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.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner. The
alleged house from where the alleged recovery has been made is



a joint house. The petitioner has no concern with the seized liquor or the recovered country-made pistol. 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 no criminal antecedent and is languishing in judicial custody since 01.11.2024 without any rhymes or reason.

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

6. 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 and the petitioner having no criminal antecedent, 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 Kaler P.S. Case No. 144 of 2024.

(Rudra Prakash Mishra, J)

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