

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26520 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- KALYANPUR District- East Champaran

Narata Mahto @ Narad Mahato @ Narath Mahto S/o- Jyotik Mahto Village-
Parshouni Wahid Ps- Kalyanpur Dist- East Champaran

... .. 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 : Mr. Zainul Abedin, APP

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

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kalyanpur P.S. Case No. 57 of 2025, instituted for the offences punishable under Sections 30(a), 37 and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 140 liters liquor was recovered from the house of the petitioner.

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. Learned counsel



for the petitioner also submits that the alleged recovery has been made from the joint house of the petitioner where other family members also reside. It is further submitted that the petitioner was not present at the place of occurrence. The petitioner is in custody since 18.02.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kalyanpur P.S. Case No. 57 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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