

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24703 of 2025

Arising Out of PS. Case No.-291 Year-2025 Thana- ALAMGANJ District- Patna

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Sailesh Kumar @ Shailesh Kumar Mahto S/o Krishana Mahato @ Kishan
Mahto Resident of Village- Terasiya, P.S.- Gangabridge, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with
Alamganj P.S. Case No. 291 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per prosecution case, the police has recovered
total 110.4 liters of illicit country-made liquor from the plastic
sac. The petitioner was arrested on the spot.

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
merely on the basis of suspicion. He further submits that



nothing incriminating has been recovered from the conscious possession of the petitioner or from his house. The petitioner has no concern with the seized liquor. 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 17.03.2025 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 Alamganj P.S. Case No. 291 of 2025.

(Rudra Prakash Mishra, J)

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