

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32239 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- DAUDPUR District- Saran

Sonu Kumar Mahto @ Sonu Mahto S/O Sukumar Mahto @ Shiv Kumar Mahto R/O Sadhpur Kharahiya, P.s.- Daudpur, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Daudpur P.S. Case No. 27 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered 200 liters of illicit liquor from the mustard field in front of the school at village Kharhiya.

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 rather the illicit liquor has been recovered from the mustard field which is an open place accessible to one and all. 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 two criminal antecedents and is languishing in judicial custody since 04.04.2025 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused has been granted bail by this Court vide order dated 22.04.2025 passed in Cr. Misc. No. 24625 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, the period of custody of the petitioner as also the prayer for bail being based on parity, 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 Daudpur P.S. Case No. 27 of 2025.

(Rudra Prakash Mishra, J)

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