

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34389 of 2025

Arising Out of PS. Case No.-368 Year-2019 Thana- KHUSRUPUR District- Patna

Manoj Mahto S/o Ramnandan Mahto @ Ram nan Mahto R/o Village- Hardas
Bind Toli, Police Station- Khushrupur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2025 Learned Counsel for the petitioner and learned APP
for the State are present.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Khusrupur P.S. Case No. 368 of 2019, lodged on 15.11.2019, under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, total 72 litres of country made liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



also submits that the said recovery has not been made from the possession of the petitioner but the co-accused who has been apprehended has disclosed the name of the petitioner. Counsel further submits that petitioner was surrendered subsequently in this case on 13.01.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that his antecedent is not clean and he is an accused in similar two more cases.

6. In this background, this Court is not inclined to enlarge the petitioner on bail in connection with Khusrupur P.S. Case No. 368 of 2019 pending in the court of learned Special Judge, Excise, Patna City.

7. Accordingly, the prayer for bail of the petitioner is hereby rejected.

8. However, the trial Court is directed to release the petitioner on bail by imposing its own condition so that the petitioner may not evade appearance during trial, if he renews his prayer for bail after framing of charge.

(Dr. Anshuman, J)

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