

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33195 of 2025

Arising Out of PS. Case No.-255 Year-2022 Thana- Excise P.S. District- Samastipur

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Shambhu Kumar Mahto S/o Late Jagdish Mahto R/o Vill- Harilochanpur,
P.S.- Sarairanan, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 27-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a) of the Bihar Prohibition & Excise Amendment Act.

3. The prosecution case, in brief, is that during routine patrolling, police officials intercepted a motorcycle bearing Registration No. BR-33V-2585. Upon interception, the rider attempted to flee from the spot. A search of the said motorcycle led to the recovery and seizure of 18 litres of foreign liquor. The petitioner is



alleged to be the registered owner of the seized motorcycle.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery. Nothing illicit has been recovered from the conscious possession of the petitioner. His name sprang up in this case as he is the registered owner of the said motorcycle. Moreover, the petitioner is languishing in judicial custody since 17.04.2025.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special



Excise Court II, Samastipur in connection with Excise P.S.
Case No. 255 of 2022.

(S. B. Pd. Singh, J)

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