

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37612 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- SIWAIPATTI District- Muzaffarpur

Anil Kr @ Anil Mahato S/o Mangar Mahto Resident of Village- Ramnagar,
P.S. Siwaipatti District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

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

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Siwaipatti P.S. case No.
36 of 2025 instituted for the offences under Sections 274, 275
3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 85 liters liquor
along with other materials was recovered from the house of the
petitioner. The petitioner was arrested on spot.

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. It is further submitted recovery is made from the thatched house of the petitioner which was in abandoned condition and as such was an open place accessible to one and all. The petitioner is in custody since 14.03.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. 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, clean antecedent 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwaipatti P.S. case No. 36 of 2025.

(Rudra Prakash Mishra, J)

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