

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37379 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- MALAHI District- East Champaran

Manoj Mahto Son of Fagu Mahto @ Phagu Mahto Resident of Village- Sirni
Bazar, P.S.- Malahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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

ORAL ORDER

2 17-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Malahi
P.S. Case No. 100 of 2025 instituted for the offences punishable
under Section 30(a), 37 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 60 litres
of liquor has been recovered near the house of the petitioner and
the petitioner was arrested in intoxication state.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made
near the house of the petitioner which is accessible to public at



large. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 23.03.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 Malahi P.S. Case No. 100 of 2025.

(Rudra Prakash Mishra, J)

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