

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38972 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- SIRISIYA District- West Champaran

Upendra Mahto @ Upendra Kumar S/O Mahanth Mahto R/O Vill.- Ward no
05, Lala Tola, Garbhua Turhapatti, P.s.- Sirisiya, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-06-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

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 Sirisiya P.S. Case No. 72 of 2025, lodged on 26.04.2025, under Sections 274/275 of the Bhartiya Nyay Sanhita, 2023 and under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 20 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 submits that the recovery of alleged country-made liquor has not been made from the possession of the petitioner. He submits that Chaukidar has disclosed his name. Counsel submits that the criminal antecedent of the petitioner is clean. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Judge-I, Bettiah, West Champaran, in connection with Sirisiya P.S. Case No. 72 of 2025, subject to the conditions as laid down U/s 480(3) of the BNSS, 2023.

(Dr. Anshuman, J)

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