

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45520 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- KHAIRA District- Saran

Lalak Mahto Son of Late Mohar Lal Mahto Village - Patedha P.S - Khaira,
Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Khaira
PS Case No. 80 of 2025 instituted for the offences under
Section/s 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 5 liters
country made liquor was recovered from jute bag.

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 submitted
that recovery is made from roadside which is an open place,



which is accessible to one and all. The petitioner is in custody since 20-04-2025 and has got three criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 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 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 Khaira PS Case No. 80 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

