

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44755 of 2025

Arising Out of PS. Case No.-192 Year-2025 Thana- PAHARPUR District- East Champaran

Kundan Mahto @ Kundan Kumar S/O Prabhu Mahto R/O Vill.- Sareya Viri
Dhangad Toli, P.S.- Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, 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
Paharpur P.S. Case No. 192 of 2025, instituted for the offences
punishable under Sections 30(a), 30(b) and 30(c) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 20 liters
liquor was recovered from mango orchard.

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. Learned counsel



for the petitioner also submits that the alleged recovery has been made from mango orchard which is an open place and the same is easily accessible to the public at large. The petitioner is in custody since 27.04.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Paharpur P.S. Case No. 192 of 2025.

(Rudra Prakash Mishra, J)

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