

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46130 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- KUDHNI District- Muzaffarpur

Suraj Kumar Mahto @ Suraj Kumar S/o Late Ganga Sagar Mahato R/o
Village- Dhattha, P.S.- Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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

ORAL ORDER

2 17-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kudhani P.S. Case No. 60 of 2025 instituted for the offences
under Sections 274, 275 of the Bhartiya Nyaya Sanhita and
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 774.360 liters of illicit foreign liquor from the pick-up
vehicle.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the



present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner is alleged to be the driver of the seized vehicle. The petitioner has no concern either with the seized Bolero vehicle or the recovered liquor. The petitioner, being a driver, was not aware of the recovered liquor being kept in the alleged vehicle. The alleged recovered mobile belongs to the petitioner. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 18.05.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Kudhani P.S.
Case No. 60 of 2025.

(Rudra Prakash Mishra, J)

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