

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47183 of 2025

Arising Out of PS. Case No.-380 Year-2021 Thana- NOORSARAI District- Nalanda

Shailesh Kumar @ Shailesh Mahto S/O Late Krishan Mahto R/O Village-
Kakadiya (Kakaria), P.S- Noorsarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Noorsarai P.S. Case No. 380 of 2021 registered on 14.11.2021 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, a total recovery of 20 liters of illicit country-made liquor along with utensils used in its preparation was made from a field, which forms the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. It is contended that nothing has been recovered from the possession



of the petitioner, nor does the alleged place of seizure belong to him. In support of this contention, the petitioner has annexed Annexure P/2, which is the order passed by the DCLR. It is further submitted that the petitioner has a clean criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is clean.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the Exclusive Special Judge, Excise-II, Biharsharif, Nalanda, in connection with Noorsarai P.S. Case No. 380 of 2021, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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