

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47350 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- NATHNAGAR District- Bhagalpur

Sutal Mahto @ Sushil Mahto S/o Bideshi Mahto R/o Village- Dildarpur
Bindtoli, P.S.- Nath Nagar, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 23-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nathnagar PS Case No. 21 of 2025 instituted for the offences
under Sections 30(a) and 41(1) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 141
litres of country made liquor was recovered from Bank of River.

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 an open place, which is accessible to



one and all. It is further submitted that local people disclosed the name of the petitioner. The petitioner is in custody since 26.05.2025 and has got four criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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 Nathnagar PS Case No. 21 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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