

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51651 of 2025

Arising Out of PS. Case No.-335 Year-2025 Thana- MADHAURAH District- Saran

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Ganesh Mahto S/o Jawahir Mahto R/O Village-Olahanpur, PS-
Madhaurah(Marhowrah), Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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

ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Marhaurah/Marhowrah PS Case No. 335 of 2025 instituted for
the offences under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 20 litres
of country made liquor was recovered from plastic gallon

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 the name of the petitioner has transpired on the confessional statement of apprehended co-accused person, namely, Paras Ram. The petitioner is in custody since 01.07.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other Co-accused has been granted regular bail by this Court vide order dated 09.07.2025 passed in Cr. Misc. No. 43354 of 2025.

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 Madhaurah/Marhowrah PS Case No. 335 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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