

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62267 of 2025

Arising Out of PS. Case No.-164 Year-2025 Thana- AWTARNAGAR District- Saran

1. Jitendra Mahto S/O Laljee Mahto R/O Vill.- Mirpur Juwara, P.S.- Awtar Nagar, Dist.- Saran.
2. Chandan Kumar S/O Umesh Rai R/O Vill.- Mirpur Juwara, P.S.- Awtar Nagar, Dist.- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rajani Kumari, Adv.

For the Opposite Party/s : Mrs.Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-09-2025 Learned counsel for the petitioner is directed to make necessary correction in paragraph no. 4 of the petition, in course of the day.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. In the present case, the petitioner seeks bail in connection with Awtar Nagar P.S. Case No. 164 of 2025, registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, on receipt of secret information about running of manufacturing units for illicit liquor, a raid was conducted at the identified place and the



petitioners and co-accused persons were apprehended and the two furnaces, 800 liter of mother liquor and equipments for manufacturing the liquor were destroyed. Further recovery of 20 litre of country made *chulai* liquor was made from that place.

5. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The recovery shown is from an open place and the petitioners have no concern with the said place. Learned counsel further submits that nothing incriminating has been recovered from person or possession of this petitioner. The petitioner is in custody since 14.06.2025 and he has two criminal antecedents. Charge sheet has been submitted.

6. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

7. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the submission of charge sheet and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise 1st Saran at



Chapra/concerned court, in connection with Awtar Nagar P.S.
Case No. 164 of 2025, subject to the condition laid down under
Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close
relative of the petitioner.

(ii) The petitioner will remain present on
each and every date fixed by the court
below, if so required by the learned trial
court.

(iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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