

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57528 of 2025**

Arising Out of PS. Case No.-529 Year-2025 Thana- AGAMKUAN District- Patna

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Hariom Son of Late Dhup Lal Mahto, Resident of H/O Late Sunder Mahto  
Chhoti Pahari Pump House Near West Nala, P.S.- Agamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Saurav Anand, Advocate.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

3      25-09-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered  
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of total  
61.630 litre illicit liquor from a rented room inside the house of  
one Late Sunder Mahto and petitioner was apprehended on the  
spot.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has falsely been implicated in this  
case on the basis of suspicion. He further submits that petitioner  
is the tenant in the alleged house where more than four families  
resides and he has no knowledge with regard to keeping of  
liquor in the house. Learned counsel submits that no



incriminating article has been recovered from the conscious possession of petitioner and he has no concern with the alleged seized liquor. He further submits that seizure list has not been prepared in accordance with mandatory provisions of law and there is no independent witness to the seizure list. Learned counsel submits that petitioner is in custody since 09.07.2025, having one criminal antecedent of similar nature, in which he is on bail and charge sheet had already been submitted in this case after completion of investigation. He further submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned in connection with Agamkuan P.S. Case No.529 of 2025 with following conditions:-

(i) The petitioner shall appear on each and every date



before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the learned Trial Court;

(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iii) The petitioner shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

**(Sunil Dutta Mishra, J)**

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