

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67120 of 2025

Arising Out of PS. Case No.-234 Year-2023 Thana- ROSERA District- Samastipur

Bhola Kumar @ Bhola Mahto Son of Late Jageshwar Mahto Resident of
Village - Belsandi Tara, Ward No. 7, P.S. - Bibhutipur, Dist. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra. Adv.

For the Opposite Party/s : Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 10-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rosera P.S. Case No. 234 of 2023 dated 01.04.2023 for the offence/s punishable u/ss 272, 273, 420, 467, 468, 471 and 120B of the IPC and 30(a)(b), 32, 41 and 62 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 3568.12 litres of illicit foreign liquor was recovered from three different vehicles and a motorcycle was also seized.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in this case on mere suspicion. The petitioner is not the owner of the seized motorcycle as stated in para-6 of the bail petition. The recovery



was made from an open place that was accessible to anyone. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has three criminal antecedents in which he is on bail in all cases as stated in para 3 of the bail petition. The petitioner is in custody in this case since 04.07.2025. The co-accused person has already been granted anticipatory bail by this Court vide order dated 06.09.2024 passed in Cr. Misc. No. 44511 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Rosera P.S. Case No. 234 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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