

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70771 of 2025**

Arising Out of PS. Case No.-389 Year-2025 Thana- MASHRAK District- Saran

Mantu Ram S/O Budhan Ram Resident of Village- Murwah (Eraji), Police  
Station- Isuapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mili Kumari, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      08-10-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30 (a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that altogether 3.5 liters country made liquor was recovered from a bike.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that he has been framed in this case only on the basis of his antecedents. Nothing has been recovered from the conscious possession of this petitioner. Moreover, the petitioner is languishing in judicial custody since 11.09.2025.



5. Learned APP appearing for the state has opposed the prayer of regular bail stating that the petitioner has one criminal antecedent.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mashrakh P.S. Case No. 389 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Exclusive Special Excise Judge, Saran at Chapra.

7. Before parting, I would like to advice the learned trial Court that in such a small quantity of seizure and where the petitioner is having only one criminal antecedent, the learned trial court ought to consider the prayer for bail with due leniency and in accordance with the settled principles of law, rather than rejecting it mechanically.

**(Ashok Kumar Pandey, J)**

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