

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78422 of 2025

Arising Out of PS. Case No.-308 Year-2019 Thana- BAKHARI District- Begusarai

Chandan Mahton @ Chandan Mahto Late Naresh Mahto @ Late Naresh Prasad Singh R/o Village - Khair Darha, P.S. - Bakhari, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anant Kumar I, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bakhari P.S. Case No. 308 of 2019, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 351 liters liquor was recovered from the Bolero and Bathan of co-accused Bhushan Mahto.

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. The petitioner was neither owner nor driver of the vehicle and the said recovery has been planted for extraneous consideration. The name of the petitioner



has been disclosed by the co-accused Bhusan Mahto. The petitioner is in custody since 07.10.2025 and has got five criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bakhari P.S. Case No. 308 of 2019, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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