

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78041 of 2025

Arising Out of PS. Case No.-425 Year-2025 Thana- MADHUBANI TOWN District-
Madhubani

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Ram Sevak Mahto Son of Ram Avtar Mahto (Name of Ramsevak Mandal wrongly mentioned in the F.I.R.). Resident of Village- Kamalpur, P.S.- Pandaul, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate Mr. Ravi Prakash, Advocate
For the State	:	Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Town PS Case No. 425 of 2025 instituted for the offences under Section/s 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 128.625 liters liquor was recovered from e-rickshaw.

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. It is submitted



that petitioner is neither the owner nor the driver of the vehicle in question. Learned counsel submits that petitioner was merely a passenger of the e-rickshaw and he has become the victim of the circumstance. The petitioner is in custody since 22.09.2025 and has got one criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Town PS Case No. 425 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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