

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80542 of 2025

Arising Out of PS. Case No.-72 Year-2023 Thana- CHACKMEHSI District- Samastipur

Lalit Mahto S/O Baleshwar Mahto Resident of Village - Barheta Ward No. 9,
Police Station- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chakmehsi P.S. Case No. 72 of 2023, instituted for the offences punishable under Section 30(a), 32, 36 and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 5951.800 liters of liquor was recovered from five vehicles.

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 the driver of the seized vehicle bearing



Registration No. BR06GB-9396 and he has no knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 12.09.2025 and has got two criminal antecedents. Other co-accused has been granted bail by this Court vide order dated 19.04.2024 passed in Cr. Misc. No.30279 of 2024. 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 Chakmehsi P.S. Case No. 72 of 2023, 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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