

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79205 of 2025

Arising Out of PS. Case No.-303 Year-2025 Thana- Excise P.S. District- Bhagalpur

PRABHU MAHTO Son of Ramjanay Mahto Resident of Village - Lakho
Nipaniya Tola, P.S.- Lakho, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

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

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

ORAL ORDER

2 24-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
(Sadar) P.S. Case No. 303 of 2025, instituted for the offences
punishable under Sections 30(a) and 47 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 155.520 liters
liquor was recovered from car and the petitioner was
apprehended on spot.

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. Learned counsel for the petitioner also submits that the the petitioner is not the owner of the car in question rather he was driver of that car and has got no knowledge with regard to the nature of goods loaded in that vehicle. The petitioner is in custody since 14.09.2025 and has got no 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 Excise (Sadar) P.S. Case No. 303 of 2025.

(Rudra Prakash Mishra, J)

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