

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81307 of 2025**

Arising Out of PS. Case No.-205 Year-2025 Thana- Gaura P.S. District- Saran

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Jitendra Mahto Son of Shiv Sagar Mahto R/o Village- Narayanpur, P.S.-  
Gaura, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Harsh Anuj, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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

ORAL ORDER

2      27-11-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Gaura P.S. case No. 205  
of 2025 instituted for the offences under Section 30(a) of the  
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 9 liters liquor  
was recovered from bush.

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.  
Recovery is made from a bush, which is an open place



accessible to one and all. It is further submitted that the name of the petitioner has transpired on the basis of disclosure made by local Chowkidar. The petitioner is in custody since 10.10.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 Gaura P.S. case No. 205 of 2025.

**(Rudra Prakash Mishra, J)**

Pankaj/-

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