

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80862 of 2025

Arising Out of PS. Case No.-65 Year-2024 Thana- AWTARNAGAR District- Saran

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1. Ramdayal Mahto @ Ramdyal Mahto Son of Satrudhan Mahto R/O Village - Madanpur Bindtoli, P.S.- Awtarnagar, Dist.- Saran.
 2. Chhathi Devi @ Chhati Wife of Ramdayal Mahto R/O Village - Madanpur Bindtoli, P.S.- Awtarnagar, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 11-12-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Awtarnagar P.S. Case No. 65 of 2024 instituted for the offence under Sections 147, 148, 149, 224, 225, 341, 323, 353, 307, 332, 333, 504 & 506 of the Indian Penal Code and Sections 30(a) & 45 of the Excise Act.

3. As per prosecution case, on secret information, a raid was conducted in which 20 liters illicit liquor was recovered from the house of co-accused, Suresh Mahto and he was apprehended. It is further alleged that when the police proceeded with co-accused, Suresh Mahto and seized the liquor,



the petitioners along with other FIR named accused persons, attacked the police party and forcibly got released co-accused Suresh Mahto from police custody.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 11.09.2025. Petitioners bear no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioners. No specific accusation of overt act has been alleged against the petitioners. Moreover, charge sheet has already been submitted. Other co-accused have been granted bail by a Co-ordinate Bench of this Court vide order dated 22.08.2025, passed in Cr. Misc. No. 44914 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, charge sheet being submitted and claim based on parity, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing



bail bonds of Rs. 15,000/- (Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Awtarnagar P.S. Case No. 65 of 2024, subject to the following conditions:

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

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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