

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84736 of 2025**

Arising Out of PS. Case No.-139 Year-2025 Thana- CHERIYA BARIYARPUR District-  
Begusarai

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Deepak Mahto @ Deepak Kumar Son of Laxmi Mahto Resident of Village -  
Kumbhi, Ward No. - 4, Police Station - Cheriya Bariyarpur, District -  
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pratik, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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

ORAL ORDER

2      04-12-2025              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with  
Cheriya Bariyarpur PS Case No. 139 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 174.750 liters  
foreign liquor was recovered from hut.

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 has no concern with the hut in question and his name is disclosed by local chowkidar. The petitioner is in custody since 30.09.2025 and has got no 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, clean antecedent of the petitioner 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 Cheriya Bariyarpur PS Case No. 139 of 2025.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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