

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83763 of 2025

Arising Out of PS. Case No.-545 Year-2025 Thana- BAKHTIYARPUR District- Patna

Mantu Rai Son of Late Munarik Rai R/o Village - Dedaur, P.S. - Bakhtiyarpur,
Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 04-12-2025 Heard Mr. Rakesh Bihari Singh, learned counsel for
the petitioner and Mr. Choubey Jawahar, learned APP for the
State.

2. The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case No. 545 of 2025, instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 120 liters
liquor was recovered from gallon at the bank of a river and the
petitioner was arrested 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 alleged recovery has been made from an open place and the same easily accessible to the public at large. The petitioner is in custody since 07.10.2025 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 Bakhtiyarpur P.S. Case No. 545 of 2025.

(Rudra Prakash Mishra, J)

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