

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86251 of 2025

Arising Out of PS. Case No.-367 Year-2025 Thana- ARARIA District- Araria

Santosh Kumar Mahto Son of Late Dilip Mahto Resident of Village-
Anandpur Bhagolia, P.S.- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Adv Smt. Divya Bharti, Adv
For the Opposite Party/s	:	Mr. Surendra Kumar, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Araria P.S. Case No. 367 of 2025, instituted for the offences punishable under Sections 338, 336(3), 111(1) of B.N.S. Act 2023 and Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 2520 liters of foreign liquor was recovered from Truck.

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 submits that petitioner is helper (Khalasi) of



the seized vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 04.09.2025 and has got clean antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Court vide order dated 20.11.2025 passed in Cr. Misc. No. 78865 of 2025. 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 Araria P.S. Case No. 367 of 2025.

(Rudra Prakash Mishra, J)

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