

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1395 of 2025**

Arising Out of PS. Case No.-19 Year-2024 Thana- MAHUAWA District- East Champaran

Arjun Mahto Son of Late Govardhan Mahto @ Gowardhan Mahato Resident  
of Village- Bindwasni, P.S.- Mahuawa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Pronoti Singh, APP

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

2      21-01-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Mahuawa P.S. Case No. 19 of 2024 instituted for the offences  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered  
total 78 liters illicit Nepali liquor from e-Rickshaw.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence as alleged  
against him and has falsely been implicated in the present case.  
The petitioner was not arrested on spot and his name was  
disclosed by the apprehended accused person. He further  
submits that nothing incriminating has been recovered from the  
conscious possession of the petitioner. The petitioner is neither  
owner nor driver of the alleged e-Rickshaw. The petitioner has



no concern with the recovered liquor. The petitioner has also no concern with the other co-accused person. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 10.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahuawa P.S. Case No. 19 of 2024.

**(Rudra Prakash Mishra, J)**

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