

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2132 of 2025

Arising Out of PS. Case No.-1197 Year-2024 Thana- Excise P.S. District- Kishanganj

Mantu Kumar S/o Ramvilas Mahto R/o Village- Malpur (Purwaripatti), Ward
No.- 03, P.S. - Dilsinghsari, District - Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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

ORAL ORDER

2 23-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
(Madya Nishedh) Excise Kishanganj PS Case No. 1197 of 2024
instituted for the offences under Sections 30(a) and 32(3) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 837
litres of foreign liquor was recovered from Mahindra Bolero.

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 is the co-driver of the vehicle and he has no



knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 19.10.2024 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court *vide* order dated 07.01.2025 in Cr. Misc. No. 87313 of 2024.

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 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.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with (Madya Nishedh) Excise Kishanganj PS Case No. 1197 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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