

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11912 of 2025

Arising Out of PS. Case No.-33 Year-2024 Thana- Bhelahi District- East Champaran

Rambabu Mahto S/o Chhatu Mahto Resident of Village- Kukahiya, PS-
Bhelahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Prasad, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bhelahi
P.S. Case No. 33 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 15 liters of illicit country-made liquor from the shop of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. The petitioner has not committed any offence as
alleged in the F.I.R. He further submits that nothing
incriminating has been recovered from the conscious/physical
possession of the petitioner. The petitioner has no concern with



the seized liquor. 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 one criminal antecedent as has been stated in Para-3 of the supplementary affidavit and is languishing in judicial custody since 17.10.2024 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. The petitioner has one criminal antecedent and is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case and the period of custody of the petitioner, 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 Bhelahi P.S. Case No. 33 of 2024.

(Rudra Prakash Mishra, J)

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