

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6314 of 2026

Arising Out of PS. Case No.-65 Year-2024 Thana- AWTARNAGAR District- Saran

Sipahi Mahto @ Police Mahto S/o Balmiki Mahto R/o Village - Madanpur
Bintoli, P.S.- Avtarnagar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhawana Jha, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, A.P.P.

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

ORAL ORDER

2 30-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seek bail in connection with
Awtarnagar P.S. Case No. 65 of 2024 instituted for the offence
under Sections 147, 148, 149, 224, 225, 341, 323, 353, 307, 332,
333, 504 & 506 of the Indian Penal Code and Sections 30(a) & 45
of the Excise Act.

3. As per prosecution case, on secret information, a raid
was conducted in which 20 liters illicit liquor was recovered from
the house of co-accused, Suresh Mahto and he was apprehended. It
is further alleged that when the police proceeded with co-accused,
Suresh Mahto and seized the liquor the petitioners along with
other FIR named accused persons, attacked the police party and
forcibly got released co-accused Suresh Mahto from police
custody.

4. It has been submitted on behalf of the petitioner that



the petitioner is in custody since 13.10.2025. Petitioner bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted that petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. No specific accusation of overt act has been alleged against the petitioner. Moreover, charge sheet has already been submitted. Other co-accused have been granted bail by this Court vide order dated 11.12.2025, passed in Cr. Misc. No. 80862 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, charge sheet being submitted and claim based on parity, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Awtarnagar P.S. Case No. 65 of 2024.

(Rudra Prakash Mishra, J)

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