

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9449 of 2025**

Arising Out of PS. Case No.-254 Year-2024 Thana- RAHIKA District- Madhubani

Dilip Mahto @ Dilip Kumar Singh @ Dilip Kumar Mahto Son of Mahendra  
Mahto R/o village - Kharoua, p.s.- Rahika, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                               |
|----------------------------|-------------------------------|
| For the Petitioner/s :     | Mr. Gagan Deo Yadav, Advocate |
|                            | Mr. Vinod Kumar, Advocate     |
|                            | Mr. Rajesh Kumar, Advocate    |
| For the Opposite Party/s : | Mr. Rabindra Kumar, APP       |

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

ORAL ORDER

2      14-02-2025                      Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rahika P.S. Case No. 254 of 2024 registered for the offences punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 180 litres of Nepali country made liquor was recovered from Car.

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. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the conscious possession of the petitioner. It is submitted that the name of the petitioner has transpired on the basis of confessional statement of apprehended co-accused persons. It is further submitted that petitioner is neither the owner nor the driver of the seized vehicle. The petitioner has no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court *vide* orders dated 28.01.2025 and 12.02.2025 passed in Cr. Misc Nos. 3159 of 2025 and 6511 of 2025 respectively.

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. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rahika P.S. Case No. 254 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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