

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50733 of 2025**

Arising Out of PS. Case No.-765 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Vicky Mahto @ Vicky Kumar @ Vikki Mahto S/o Ashok Kumar @ Ashok  
Mahto R/O Village - Ismailpur P.S - Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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

ORAL ORDER

2      31-07-2025                      Heard learned counsel for the petitioner and  
learned APP for the State.

2.      The petitioner seeks bail in connection with  
Hajipur Sadar (Kajipur) PS Case No. 765 of 2023 instituted  
for the offences under Sections 414 of the Indian Penal  
Code and Section 30(a) of the Bihar Prohibition and Excise  
Act.

3.      The prosecution case, in short, is that total 110  
litres of country made liquor was recovered from two  
motorcycles.

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 the name of the petitioner has transpired as being owner of the motorcycle bearing Registration No. BR31AX-4787. It is further submitted that apprehended co-accused disclosed the name of the petitioner. The petitioner is in custody since 21.03.2025 and has got six criminal antecedents. There is no compliance of Section 103 of B.N.S.S.

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, ***after framing of charge if not already framed*** 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 Hajipur Sadar (Kajipur) PS Case No. 765 of 2023, subject to the following



conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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