

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84891 of 2025

Arising Out of PS. Case No.-903 Year-2016 Thana- BIHTA District- Patna

SUBHASH MAHTO @ SUBASH MAHATO S/o- Late Janardan Mahto R/v-
Katesar Ps- Bihta Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rana Randhir Singh, A.P.P

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

ORAL ORDER

2 12-12-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Bihta
P.S. Case No. 903 of 2016 corresponding to Special Excise Case
No. 11285 of 2018, instituted for the offences under Sections
30(a), 37(a)(b)(c) of the Indian Penal Code.

3. Prosecution case, in short, is that 55 Litres of liquor
was recovered, out of which 27 litres of liquor were recovered
from the house of co-accused Ranjan @ Pappu Paswan @
Ranjan Kumar.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in this
case. The present case is misuse of privilege of bail earlier
granted to the petitioner. Earlier, the petitioner has been granted



regular bail by the learned Court below. He further submits that due to non-appearance of petitioner, the bail bond of the petitioner got cancelled and process of 82 of Cr.P.C. was ordered to be issued against the petitioner and other co-accused vide order dated 27.09.2025. Thereafter, petitioner has been arrested on 09.10.2025. Learned counsel further submitted that the petitioner has not been given any information regarding cancellation of his bail bond by his counsel. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.10.2025 and has no criminal antecedent. Learned counsel for the petitioner further submits that the petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

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, as also the period of custody undergone by the petitioner as also the undertaking given 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court, in connection with Bihta P.S. Case No. 903 of 2016 corresponding to Special Excise Case No. 11285 of 2018, 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)

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