

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86306 of 2025

Arising Out of PS. Case No.-376 Year-2025 Thana- SURSAND District- Sitamarhi

Dharmendra Mahato Son of Dinesh Mahato Resident of village - Maruahi,
Ward No. 10, Police Station- Jaleshwar, District- Mahottari, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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

ORAL ORDER

2 15-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sursand
P.S. Case No. 376 of 2025 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 135 litres
of liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is in no manner connected with the vehicle in
question or the alleged recovery of liquor. The petitioner is in
custody since 14.10.2025 and has one criminal antecedent.



There is no compliance of Section 103 of the Bharatiya
Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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, 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 Sursand P.S. Case
No. 376 of 2025, subject to the following conditions:

(I) One of the bailors shall be Mr. Lalan Mahato, i.e.
cousin of the petitioner who is the deponent of the present bail
application.

(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)

Alok Verma/-

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