

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.791 of 2026

Arising Out of PS. Case No.-507 Year-2025 Thana- BIRAUL District- Darbhanga

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Mahesh Kumar @ Mahesh Kumar Mahto Son of Biro Mahto @ Viro Mahto
Resident of Village - Hatikoti Mahvir Nagar, P.S.- Biraul, District -
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Biral
P.S. Case No. 507 of 2025 instituted for the offences punishable
under Sections 30(a), 41 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 43.20
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 the name of the petitioner has transpired in this case merely



as being the owner of the vehicle in question and he had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 07.12.2025 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 Biral P.S. Case No. 507 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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