

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.867 of 2026**

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

=====

Raju Kumar @ Raju Kumar Mahto S/O Late Bindeshwar Mahto R/O Village-  
Hatikoti Mahvir Nagar, P.S- Biraul, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

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

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

=====

**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 Biraul P.S. case No.  
507 of 2025 instituted for the offences under Section 30(a)  
and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 43.2 liters  
liquor was recovered from motorcycle and the petitioner  
was arrested on spot.

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 further submitted that the petitioner is owner of the motorcycle in question and he has been implicated by the police for extraneous consideration and ulterior motive. The petitioner is in custody since 07.12.2025 and has got three criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

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 on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Biraul P.S. case No. 507 of 2025, 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)**

Pankaj/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

