

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1175 of 2026

Arising Out of PS. Case No.-90 Year-2025 Thana- Fakuli District- Muzaffarpur

Amarnath Mahto S/o Late Brahmdev Mahto R/o vill - Chakmaru
(Chakmaruf), P.S.- Belsar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Adv.

For the Opposite Party/s : Mr. Sucheta Yadav, 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 connection with Fakuli PS
Case No. 90 of 2025 instituted for the offences under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 846 liters of
foreign liquor was recovered from the truck and the petitioner
was arrested on the 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. Learned counsel



for the petitioner submits that the petitioner is neither the owner nor the driver of the vehicle in question and petitioner was only the passerby of the way where the occurrence took place and has become victim of the circumstances. The petitioner is in custody since 07.12.2025 and has got clean criminal antecedent. There is no compliance of Section 103 of the BNSS, 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 Fakuli PS Case No. 90 of 2025.

(Rudra Prakash Mishra, J)

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