

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3384 of 2026

Arising Out of PS. Case No.-83 Year-2025 Thana- FCI District- Begusarai

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Dilip Mahto Son of Chandra Mohan Mahto Resident of village- Bokaro Steel City, Kamdehnu Khatal, Sector 6C, Ps- Sector @ Sector 6c Dist- Bokaro, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, 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 FCI PS Case No. 83 of 2025 instituted for the offences under Section/s 292 & 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 30(a), 32 & 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 625.65 liters liquor was recovered from Tata magic.

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 submitted that name of the petitioner has surfaced in this case as being driver of the vehicle in question and he was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioner is in custody since 06.12.2025 and has got no criminal antecedent/s. 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, clean antecedent of the petitioner 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 FCI PS Case No. 83 of 2025 .

(Rudra Prakash Mishra, J)

Raj Kishore/-

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