

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10906 of 2026**

Arising Out of PS. Case No.-115 Year-2023 Thana- YADOPUR District- Gopalganj

Mantosh Rai @ Mantos Singh S/O Kashi Rai Resident of Vill. Mashanthana,
P.S- Jadopur, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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

ORAL ORDER

2 13-02-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends arrest in connection with
Jadopur P.S. Case No. 115 of 2023, registered under Sections
30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 1230.400
liters liquor was recovered from a boat.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner also
submitted that name of the petitioner has transpired in this case
on the basis of confessional statement made by co-accused,
namely, Rinki Kumari and the same has got no evidentiary
value. It is next submitted that the petitioner has got no concern
with the alleged boat from which the recovery has been made.



Learned counsel for the petitioner, therefore, contends that *prima-facie*, no case is made out against the petitioner. The petitioner has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 22.02.2024 passed in Cr. Misc. No. 10877 of 2024. There is no compliance of Section 103 of the Bharatiya Nagarik 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, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 Jadopur P.S. Case No. 115 of 2023, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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