

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7769 of 2026

Arising Out of PS. Case No.-175 Year-2025 Thana- BHAIKAVSHTHAN District-
Madhubani

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Indrajeet Mahto @ Indrit Mahto S/O Baun Mahto Resident of Village-
Naghoghi @ Narghohi, ward No. 01, P.S.- Sarai Ranjan, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, A.P.P.

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

ORAL ORDER

2 10-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhairavsthan P.S. Case No. 175 of 2025, instituted for the
offences punishable under Sections 274, 275 and 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 406.740
liters liquor was recovered from car. 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 further submitted that the petitioner is driver of the vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 22.12.2025 and has got one criminal antecedent. 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 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhairavsthan P.S. Case No. 175 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.



(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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