

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10168 of 2026

Arising Out of PS. Case No.-134 Year-2025 Thana- MANJHAUL District- Begusarai

Dilip Mahto @ Dilip Rai @ Kari Mahto Son of Maheshwar Mahto Resident
of village- Manjhaul-3, Ward No- 10 P.S- Manjhaul Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate

For the Opposite Party/s : Ms. Meena Singh, 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 seeks bail in connection with
Manjhaul PS Case No. 134 of 2025 instituted for the offences
under Section/s 30(a) of the Bihar Prohibition and Excise Act.
Earlier vide order dated 21.01.2026, passed in Cr. Misc. No.
1580 of 2026, anticipatory bail of the petitioner was dismissed
as withdrawn by a Co-ordinate Bench of this Court.

3. The prosecution case, in short, is that 80 liters
liquor was recovered from two bags.

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 recovery is from an open place, which is accessible to one and all. The petitioner is in custody since 10.01.2026 and has got three 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 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, ***after framing of charge, if not already framed***, 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 Manjhaul PS Case No. 134 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.

Raj Kishore/-

(Rudra Prakash Mishra, J)

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