

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10129 of 2026

Arising Out of PS. Case No.-1443 Year-2025 Thana- Excise P.S. District- Sitamarhi

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Arun Kumar Son of Sanjeet Mahto @ Sanjit Mahto R/o Village
-Bhutahi(Ward no. 08), P.S.- Bhutahi, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise Prohibition Sitamarhi P.S. Case no.1443 of 2025 registered under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 285 litres of liquor was recovered from two motorcycles in question and the petitioner who is said to be the driver of one of the motorcycles was arrested at the spot.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case due to oblique reasons. He had no concern with the two motorcycles nor with the liquor loaded therein and contrary to the allegation, he was not driving any of the vehicles. He was a bystander. The



petitioner has no criminal antecedent and is in custody since 26.11.2025. He undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR together with the petitioner having remained in custody since 26.11.2025 and specially his not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Excise Prohibition Sitamarhi P.S. Case no.1443 of 2025 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2, Sitamarhi on the following condition:

(i) In case it subsequently transpires that the petitioner has a criminal antecedent, the prosecution will be at liberty to move this Court for his cancellation of bail.

(Partha Sarthy, J)

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