

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8744 of 2026

Arising Out of PS. Case No.-495 Year-2025 Thana- BALIYA District- Begusarai

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Dilip Mahto @ Dileep Mahto S/o Ram Sagun Mahto @ Ramsugan Mahto
R/o Village- Malpur Khataye Ward No.08, P.S- Dalsinghsarai, Dist-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Ballia
PS Case No. 495 of 2025 instituted for the offences under
Section/s 30(a) of the Bihar Prohibition and Excise Act and
Sections 317(5) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 136.80 liters
liquor was recovered from car.

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 petitioner has got no concern with the car in question. The petitioner is in custody since 22.12.2025 and has got two criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court vide order dated 16.12.2025, passed in Cr. Misc. No. 86989 of 2025.

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 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 Ballia PS Case No. 495 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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