

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10470 of 2026

Arising Out of PS. Case No.-152 Year-2025 Thana- MORKAHI District- Khagaria

Mithun Kumar @ Mithun Kumar Mahto Son of Gorakh Mahto Resident of
Village - Bhadash, Ward No. 11, P.S. - Gangour, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-02-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Morkahi P.S. Case no. 152 of 2025 registered under sections 30(a), 30(d), 33, 34(a) and 36 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 603.05 litres of spirit was recovered from the house of co-accused Uday Sah who on enquiry disclosed that he was involved in the business of liquor along with the petitioner and others.

4. Learned counsel for the petitioner submits that from the contents of the FIR itself, it would transpire that no incriminating article has been recovered from the petitioner's possession or his house. He has been falsely implicated in the case. He is in custody since 18.11.2025 and the cause of false implication is his



antecedents. Uday Sah has been enlarged on bail vide order dated 10.2.2026 passed in Cr. Misc. no. 8153 of 2026.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, no incriminating article having been recovered from the petitioner's possession or his house and grant of bail to co-accused Uday Sah vide aforesaid order dated 10.2.2026, the Court directs the petitioner to be enlarged on bail in connection with Morkahi P.S. Case no. 152 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 Judge 1st, Khagaria.

(Partha Sarthy, J)

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