

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15189 of 2026

Arising Out of PS. Case No.-398 Year-2025 Thana- BAHADURPUR District- Patna

Chandan Kumar @ Chandan Mahto Son of Late Lalmohan Mahto Permanent Resident of Village- Bhagwanpur Rati, P.O. and P.S.- Vaishali, District- Vaishali, Presently Residing at Shyam Mushari Jopadpatti, P.S.- Bahadurpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Swetabh, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-03-2026 Heard Mr. Surya Swetabh, learned counsel for the petitioner and Ms. Pronoti Singh, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 30.11.2025 in connection with Bahadurpur P.S. Case No. 398 of 2025, F.I.R. dated 29.11.2025 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Recovery is of 100 liters of country made liquor.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather



the recovery has been made from the hut in question. He further submits that the petitioner has no concern at all with the alleged recovery of the illicit liquor or the hut in question and on the basis of suspicion he has falsely been made accused in the present case. He further submits that except suspicion, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present case. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 30.11.2025.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, nothing has been recovered from the conscious possession of the petitioner as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge-Excise Act, Patna City, Patna in connection with Bahadurpur P.S. Case No. 398 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification. On consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(Rajesh Kumar Verma, J)

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