

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23381 of 2026

Arising Out of PS. Case No.-136 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Kamlesh Mahto @ Kamlesh Kumar S/O Late Sone Lal Mahto R/O Vill-
Mustafapur, P.S- Bibhutipur, Dist- Smastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ashok Kumar Gupta, Advocate
For the State : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, 135 liters of illicit foreign
liquor was recovered from a cowshed.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from conscious
possession of this petitioner and he has falsely been implicated
in this case merely on suspicion. The alleged illicit liquor has
been recovered from an open place, which is accessible to one
and all. Moreover, charge-sheet has already been submitted and



petitioner is in custody since 16.01.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, fact that no incriminating article has been recovered from possession of this petitioner and period of custody, the prayer for grant of bail to the petitioner is allowed.

7. Accordingly, let the above named petitioner 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 learned Exclusive Special Excise Judge-I, Samastipur in connection with Bibhutipur P.S. Case No. 136 of 2025.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

