

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22530 of 2026

Arising Out of PS. Case No.-21 Year-2026 Thana- BABURA District- Bhojpur

1. Bhageran Ram Son of Late Lakhan Ram
 2. Naresh Mahto Son of Late Jhansi Mahto
 3. Surendra Mahto Son of Late Tahal Mahto
- All are Resident of village- Dayal Chak Police station - Doriganj District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-04-2026 Heard Mr.Uday Kumar, learned counsel for the petitioners and Mr.Ajay Kumar No. 2, learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since 21.02.2026 in connection with Babura P.S.Case No.21 of 2026, F.I.R. dated 20.02.2026 registered for the offence punishable under Section 30(a) and 30(d) of Bihar Prohibition and Excise Amendment Act.

3. Recovery is of 240 liters of country made Mahua wine.

4. Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. The



allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR and the petitioners have been made accused in the present case merely on the basis of suspicion and it appears from the FIR itself that nothing has been recovered from conscious possession of the petitioners rather the recovery has been made from the bank of the Ganga and petitioners have no concern at all with the alleged recovery of illicit liquor and the petitioners are in custody since 21.02.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid fact, petitioners have clean antecedent, nothing has been recovered from conscious possession of the petitioners and petitioners have been made accused in the present case merely on the basis of suspicion, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court 1st Bhojpur, Ara in connection with Babura P.S.Case No.21 of 2026,with the following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

Nitesh/-

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

