

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23391 of 2026

Arising Out of PS. Case No.-162 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Gopal Prasad Mahto @ Gopal Kumar Son of Pramod Prasad Mahto Resident
of Ward No. 05, Mahasmadpur, Shakra, Mahmadpur Sakra, P.O.- Kalyanpur,
P.S.- Bibhutipur, District- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Keshav Bhardwaj, Advocate
For the State : Mr. Narsingh Tanti, 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 Sections 274 and 275 of the B.N.S.
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 143.910 liters illicit
foreign liquor was recovered from the seized car.

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. Petitioner is neither owner nor
driver of the seized vehicle. Moreover, charge-sheet has already



been submitted and petitioner is in custody since 20.03.2026.

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 Judge (Excise)-I, Samastipur in connection with Bibhutipur P.S. Case No. 162 of 2025.

(Prabhat Kumar Singh, J)

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