

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29426 of 2026**

Arising Out of PS. Case No.-53 Year-2025 Thana- BASOPATTI District- Madhubani

Bishnu Prakash Mahto S/o Ramsevak Mahto R/O 10, Chhotaipatti, P.S -
Darbhanga, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar @ Ashok Karn, Advocate.
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 06-05-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Basopatti P.S. Case No. 53 of 2025 registered for the offence punishable under Sections 274 and 275 of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act, as amended upto date.

3. Allegation is of recovery of 16.38 litres of Nepali foreign liquor from a motorcycle bearing Registration No. BR07U6325.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been falsely implicated in the case. He has no concern either with the seized liquor or trade of liquor in any manner. The petitioner is the



owner of the motorcycle, but he had given his motorcycle to co-accused for some urgent work and he had no knowledge of misuse of the motorcycle by him. The petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R. and the fact that recovery is from the co-accused who had taken the motorcycle of the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending in connection with Basopatti P.S. Case No. 53 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C / Section 482 (2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.



8. The bail application stands disposed of.

(Purnendu Singh, J)

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