

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27269 of 2026

Arising Out of PS. Case No.-106 Year-2026 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Sanjeet Mahto S/O Late Bhola Mahto R/O Ward No. 37, Vill.- Korbaddha,
Lagunia, Suraj Kanth, P.S.- Mufassil, Dist.- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Keshav Bhardwaj, Advocate
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mr.Keshav Bhardwaj, learned counsel for the
petitioner and Mr.Mritunjay Kumar Nirala, learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
10.03.2026 in connection with Samastipur Muffasil P.S. Case
No. 106 of 2026, F.I.R. dated 05.03.2026 registered for the
offence punishable under Section 30(a) of Bihar Prohibition
and Excise Act, 2022.

3. Recovery is of 25.635 liters of foreign liquor.

4. Learned counsel appearing for the petitioner
submits that it appears from the FIR as well as the seizure list
that nothing has been recovered from conscious possession of
the petitioner rather the recovery has been made from the



house of Shyam Paswan. As per allegation in the FIR, the petitioner was fled away from the place of occurrence and seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 10.03.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries seven more cases other than the present one but he fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 learned Exclusive Special Judge, Excise-I, Samastipur in connection with Samastipur Muffasil P.S. Case No. 106 of 2026, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

(Rajesh Kumar Verma, J)

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