

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26211 of 2026

Arising Out of PS. Case No.-101 Year-2026 Thana- HARLAKHI District- Madhubani

Jawahar Lal Prasad S/o Late Surendra Prasad Mahto R/o Village - Pipraun,
P.S. - Harlakhi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-04-2026 Heard Mr. Ravi Prakash, learned counsel for the

petitioner and Ms. Suman Kumari Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.03.2026 in connection with Harlakhi P.S. Case No. 101 of
2026, F.I.R. dated 14.03.2026 for the offences punishable under
Sections 274 and 275 and 3(5) of the BNS, 2023 and Section
30(a) of the Bihar Prohibition and Excise Amendment Act,
2022.

3. Recovery is of 109.5 liters of illicit liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the



conscious possession of the petitioner rather the recovery of 109.5 liters of illicit liquor has been made from the motorcycle in question. He further submits that from perusal of the seizure list it appears that the seizure list witnesses are the police personnel so there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 15.03.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two criminal antecedents other than the present one but fairly submits that he is on bail in both the pending matters.

6. Considering the aforesaid facts and circumstances, 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 the learned Exclusive Special Judge, Excise Madhubani in connection with Harlakhi P.S. Case No. 101 of 2026 subject to 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 absence on two consecutive dates without sufficient reason, his 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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