

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28918 of 2026

Arising Out of PS. Case No.-162 Year-2026 Thana- MASHRAK District- Saran

Wakil Mahto S/O Late Dhupa Mahto @ Gopa Mahto R/O Vill.- Hanshapir,
P.S.- Mashrakh, Dist.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short is that from the *Gumti* of this petitioner, altogether 2.340 liters of illicit foreign liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Nothing has been recovered from his possession. It has further been submitted that the witnesses of the seizure list are police personnel. Police has not complied Section 105 of the B.N.S.S. while making the seizure.



Petitioner is languishing in judicial custody since 13.03.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that petitioner is having criminal antecedent of three cases out of which two are of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mashrakh P.S. Case No. 162 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-2, Saran at Chapra **with the condition that petitioner shall not indulge himself in similar nature of offences in future.**

(Ashok Kumar Pandey, J)

lata/-

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

