

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28392 of 2026

Arising Out of PS. Case No.-101 Year-2026 Thana- KALYANPUR District- East Champaran

Kumod Mahto, S/O Dineshwar Mahto, R/O Village- Mananpur, P.S.-
Kalyanpur, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai, 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 dickey of a bike, altogether 100 liters of country made liquor was recovered. It is alleged that the petitioner was driving the said bike.

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 having no criminal antecedent and he is languishing in judicial custody since 04.03.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

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 Kalyanpur P.S. Case No. 101 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 Court No.3, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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