

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31091 of 2026

Arising Out of PS. Case No.-161 Year-2026 Thana- SUGAULI District- East Champaran

Raju Mahto S/O Bijli Mahto @ Vijli Mahto @ Vijli Mahato Resident of
Village - Gidha, Chhapra Bahas, Police Station- Sugauli, District- East
Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Sugauli P.S. Case No.161 of 2026 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
altogether 110 liters country made liquor was recovered from a
bike.

4. Learned counsel appearing on behalf of the
petitioner has submitted that the petitioner is the owner of the
bike. It has further been submitted that nothing has been
recovered from the possession of the petitioner. It has further



been submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the of the BNSS while making seizure. It has further been submitted that the petitioner is languishing in judicial custody since 21.03.2026.

5. The application for bail is opposed by learned APP for the State. He has further submitted that the petitioner is having criminal antecedent of one case 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Exclsuive Special Excise Court No.1, Civil court, East Champaran at Motihari, in connection with Sugauli P.S. Case No.161 of 2026.

(Ashok Kumar Pandey, J)

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