

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32752 of 2026

Arising Out of PS. Case No.-89 Year-2025 Thana- RAJNAGAR District- Madhubani

Pradeep Mahto @ Pradeep Kumar Mahto @ Pradip Mandal S/o Jangali Mahto @ Jangali Mandal Resident of Village- Rampatti, P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-05-2026 Heard Mr. Murari Narain Chaudhary, learned counsel for the petitioner and Mr. Shyam Bihari Singh, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 30.03.2026 in connection with Rajnagar P.S. Case No. 89 of 2025, F.I.R. dated 11.03.2025 for the offences punishable under Sections 274, 275 and 3(5) of the BNS, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Recovery is of 495 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 on the basis of secret information, the police have recovered liquor in question from the bush and name of the petitioner has been transpired on the basis of disclosure made by the local villager and except the aforesaid, nothing has come during investigation which suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 30.03.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries seven criminal antecedents other than the present one but fairly submits that he is on bail in six cases and one case is pending for consideration before the competent court of law.

6. Considering the aforesaid facts and circumstances that nothing has been recovered from the conscious possession of the petitioner, his name has been transpired on the basis of disclosure made by local villagers and there is non-compliance of Section 103/105 of the BNSS, 2023, 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 Rajnagar P.S. Case No.



89 of 2025 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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