

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31893 of 2026**

Arising Out of PS. Case No.-67 Year-2026 Thana- MAGADH UNIVERSITY District- Gaya

Murari Kumar, Son of Sukhlal Mahto, Resident of Village- Kesapi, P.S.-  
Dobhi, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shashi Kant, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      12-05-2026                      Heard the parties.

2. Petitioner seeks regular bail in connection with Magadh University P.S. Case No. 67 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that nothing has been recovered from the conscious possession of the petitioner and he was apprehended merely on the basis of suspicion. Learned counsel further submits that the petitioner was neither the driver nor the owner of the *Totto* from which liquor was allegedly recovered and he was merely travelling as a passenger. It is also submitted that the alleged liquor was concealed beneath the seat of the



*Totto* and the petitioner had no knowledge regarding the same. Learned counsel further submits that both seizure witnesses are members of the raiding party and therefore, the legality of the seizure itself becomes doubtful. It is also submitted that the petitioner has only one antecedent of similar nature in which he is already on bail and is in custody since 23.02.2026.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. In the facts and circumstances of this case, and considering the statements made in the petition as well as the above submissions, coupled with the fact that the main witnesses to the recovery are police personnel, so, the release of the petitioner on bail at this stage will not affect the prosecution in any manner, hence, in my opinion, the petitioner deserves to be released on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Magadh University P.S. Case No. 67 of 2026.

**(Shailendra Singh, J)**

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