

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34338 of 2026

Arising Out of PS. Case No.-711 Year-2026 Thana- Excise P.S. District- Sitamarhi

Vikash Kumar Mahto, Male aged about 20 years, Son of Lakshaman Mahto
Resident of village - Bathnaha Purvi Tola, Ward no. 3, Police Station -
Bathnaha, District - Sitamarhi, Pin – 843302.

.. ... Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Chandra, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks regular bail in connection with
Excise Sitamarhi P.S. Case No. 711 of 2026, instituted for the
offences punishable under Section 30(a) and 32(3) of Bihar
Prohibition and Excise Act.

3. As per allegation in the FIR, total 738 liters of
illegal Nepali liquor has been recovered from a four wheeler
Scorpio bearing Registration No. HR-50C6061.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He submits that nothing has



been recovered from the conscious possession of the petitioner rather the recovery was made from a four wheeler Scorpio bearing Registration No. HR-50C6061. He further submits that petitioner has got clean antecedent as stated in para 3 of the petition and he is in custody since 20.03.2026.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR, seizure list and impugned order of the learned Exclusive Excise Court-II, Sitamarhi dated 15.04.2026, it appears that petitioner is named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant, FIR has been registered under Section 30(a) and 32(3) of Bihar Prohibition and Excise Act against the present petitioner. It also appears that petitioner has got clean antecedent as stated in para 3 of the petition and is in custody since 20.03.2026, so considering all the aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant regular bail to the above named petitioner.

7. Accordingly, the prayer for regular bail of the above named petitioner is allowed. Let the petitioner above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Exclusive Excise
Court-II, Sitamarhi in connection with Excise Sitamarhi P.S.
Case No. 711 of 2026.

(Ramesh Chand Malviya, J)

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