

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36853 of 2026

Arising Out of PS. Case No.-141 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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Rakesh Mahto @ Tiwary @ Rakesh Mahato Son of Late Kailash Mahto @
Kailash Mahato R/O Vill -Rupganj PS -Chapra Town (Chapra) Distt -Saran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Harshvardhan, Advocate
For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases under the Excise Act and
is in custody in the instant case since 28.04.2026 and allegation
is of recovery of 110 litres of liquor from an auto.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner is not the owner of the seized vehicle and came to
be implicated based on the confessional statement of Maksud



Alam in police custody which does not have any evidentiary value in the eye of law.

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

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner and taking into consideration the period of custody, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with Excise Trial No. 2756 of 2024 arising out of Excise P.S. Case No. 141 of 2021.

(Satyavrat Verma, J)

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