

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49016 of 2026

Arising Out of PS. Case No.-329 Year-2025 Thana- BHELDI District- Saran

Upendra Mahto S/O Manak Mahto Resident of Village - Shobheypur, P.s.
Bheldi, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bheldi P.S. Case No.
329 of 2025 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 62 liters liquor
was recovered from Orchard.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor. It is
submitted that the name of the petitioner has transpired on the



basis of disclosure made by Co-accused. It is further submitted that recovery is made from the open place accessible to one and all. The petitioner is in custody since 28.04.2026 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bheldi P.S. Case No. 329 of 2025.

(Rudra Prakash Mishra, J)

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