

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43569 of 2026

Arising Out of PS. Case No.-53 Year-2026 Thana- BHADAUR District- Patna

Mantun Mahto @ Metro, Male, aged about 37 years, Son of Late Gariban Mahto, Resident of Village- Moti Bigha Bhadaur, P.S.- Bhadaur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bhadaur P.S. Case No. 53 of 2026 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per allegation in the FIR, total 4.250 liters of country made liquor has been recovered from a black coloured polythene packed in a white coloured polythene recovered from the Kabristan (graveyard).

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 the name of the petitioner has been surfaced in this case only on the



statement made by local Chowkidar of the village. He further submits that nothing has been recovered from the conscious possession of the petitioner. He next submits that the said wine was recovered from the Kabristan (graveyard) and not from the petitioner. Petitioner is in custody since 27.04.2026.

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 Special Judge Excise, Barh Patna dated 16.05.2026, 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) of the Bihar Prohibition and Excise Amendment Act, 2022 against the above named petitioner and the allegation is of total 4.250 liters country made liquor has been recovered from a black coloured polythene packed in a white coloured polythene recovered from the Kabristan (graveyard). Petitioner is not arrested at the spot and his name has been surfaced in this case on the statement made by local chowkidar and there is no independent witnesses of the seizure list, so considering all these 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 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 Special Judge Excise Barh, Patna in connection with Bhadaur P.S. Case No. 53 of 2026, subject to the condition that the petitioner shall physically present before the trial Court on each and every date as fixed by the trial Court and if the petitioner is absented, his bail bonds shall be cancelled.

(Ramesh Chand Malviya, J)

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