

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42783 of 2026

Arising Out of PS. Case No.-125 Year-2026 Thana- EXCISE BENIPUR District- Darbhanga

Rinku Devi W/o Late Arun Kumar Mahto @ Arun Mahto Resident of Village-
Bahera, Ward No. 4, P.S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rohit Kumar, Advocate
	:	Mr.Manish Kumar No 13, Advocate
For the Opposite Party/s	:	Ms.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard Mr.Rohit Kumar, learned counsel for the

petitioner and Ms.Veena Kumari Jaiswal, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
13.05.2026 in connection with Excise Benipur P.S. Case No.
125/2026, F.I.R. dated 13.05.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. Recovery is of 11 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. From a bare perusal of the FIR it appears that the
petitioner has been made accused in the present case merely on



the basis of suspicion and in the present case 11 liters of country made liquor was recovered from the Hut in question and the seizure list witnesses are police personnel so there is non-compliance of Sections 103/105 of BNSS, 2023 and the petitioner is in custody since 13.05.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one of similar nature but he fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact and there is non-compliance of Sections 103/105 of BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Darbhanga in connection with Excise Benipur P.S. Case No. 125/2026, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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