

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44658 of 2026

Arising Out of PS. Case No.-153 Year-2026 Thana- RASULPUR District- Saran

Hira Mahto @ Hiralal Mahto S/o Late Jangi Mahto R/o Village - Asahani
Tole, Vanshi Chapra, PS - Rasulpur, District - Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate Ms. Rishika Arya, Advocate Ms. Adya, Advocate Mr. Arif Daula Siddiquie
For the Opposite Party/s :		Mr. Md. Iftekhhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present application has been filed seeking regular bail in connection with Rasulpur P.S. Case No. 153 of 2026, registered for offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the petitioner along with others is accused of selling illicit liquor. Upon search, 25 liters of illicit liquor have been recovered from spot. The petitioner is in custody since 18.05.2026 and claims clean antecedent.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has not committed any offence; rather, he has been falsely implicated in the present case. It is further submitted that the petitioner undertakes to donate a sum of Rs. 25,000/- (Rupees Twenty-Five Thousand only) to a charitable organization, without prejudice to his defence and without admitting guilt.

5. Learned APP for the State has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, the period of custody, and the submissions advanced on behalf of the parties, the application for bail is allowed.

7. Accordingly, the petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor court in connection with Rasulpur P.S. Case No. 153 of 2026, subject to the following conditions:

(I). The petitioner shall deposit a sum of Rs. 25,000/- (Rupees Twenty-Five Thousand only) with Ramakrishna Mission Ashrama, Latu Maharaj Path, opposite Circuit House, Chapra, Bihar, and shall produce a valid receipt thereof before the court below. The bail bonds shall be accepted only after verification of the genuineness of the said receipt.



(ii). The petitioner shall mark his attendance at Rasulpur Police Station on every 1st Sunday of each month. In the event of default, the bail bonds shall be liable to be cancelled.

iii) At the time of accepting the bail bonds of the petitioner, the court below shall verify whether the petitioner has a clean antecedent. The bail bonds shall be accepted only if it is found that the petitioner has a clean antecedent. **However, it is made clear that the acceptance of the bail bonds shall not be delayed on the ground of, or in the name of, such verification. During the process of verification, the petitioner shall be released on interim bail and upon completion of the verification, the court below shall pass an appropriate order in accordance with law.**

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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