

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84030 of 2025

Arising Out of PS. Case No.-174 Year-2025 Thana- EXCISE KATORIYA District- Banka

Sampat Kumar @ Sampat Kumar Mahto S/o Ganesh Kurmi Resident of
Village- Godhar Kurmidih, P.S.- Kenduadih, District- Dhanbad Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

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

ORAL ORDER

3 19-01-2026 Heard learned counsel for the petitioner and

learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in Katoriya Excise P.S.
case No. 174/25 instituted for the offences under Sections
30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 3994.840
liters liquor was recovered from a tanker and the petitioner
was arrested on spot.

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 further submitted that the petitioner is not the owner rather he is driver of the vehicle in question and he had no knowledge regarding nature of goods kept in the vehicle. The petitioner is in custody since 19.09.2025 and has got no 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, *after framing of charge, if not already framed*, 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 Katoriya Excise P.S. case No. 174/25, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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