

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69 of 2026

Arising Out of PS. Case No.-268 Year-2025 Thana- HARLAKHI District- Madhubani

1. Bipin Mahto S/O Chulahi Mahto Resident of Village- Gangaur, P.S- Harlakhi, Distt.- Madhubani.
2. Bhola @ Kamaldev Mahto Badri Mahto Resident of Village- Gangaur, P.S- Harlakhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Harlakhi P.S. Case No. 268 of 2025 instituted for the offences under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 405 litres of liquor was recovered from four cycles.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Learned counsel further submitted that petitioners are neither the owner nor the driver of the vehicles in question. The



petitioners have got no concern with the alleged recovery of liquor. Learned counsel therefore, submitted that prima-facie, no case is made out against the petitioners. The petitioners have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nyaya Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Harlakhi P.S. Case No. 268 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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