

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12715 of 2019**

Arising Out of PS. Case No.-214 Year-2018 Thana- SONBERSA District- Sitamarhi

Gopi Mahto @ Gopi Kumar Son of Surendra Mahto, Resident of Village -
Bhutahi P.S.- Sonbarsa District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER**

2 01-03-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner is in custody in connection with Sonbarsa P.S. Case No. 214 of 2018 for the offences under Sections 272, 273 of the Indian Penal Code and Section 30(A) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent and he is in custody since 01.02.2019 He further submits that in the instant case 1727.280 liters of foreign liquor was seized. He further submits that petitioner was not named in the F.I.R. but the name of the petitioner was disclosed by co-accused Vinod Mahta in his confessional statement. He further submits that co-accused Vinod Mahto who was granted bail by the Co-ordinate Bench of



this Court in Cr. Misc. No. 2270 of 2019 vide order dated 17.01.2019 and similarly circumstanced other co-accused namely Bigu Mahto was also granted bail by another co-ordinate Bench of this Court in Cr. Misc. No. 2087 of 2019 vide order dated 17.01.2019.

Considering the fact that petitioner has no criminal antecedent and similarly circumstance co-accused have been granted bail by Co-ordinate Bench of this Court, the Court is inclined to grant bail to the petitioner, let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Court of learned Additional District Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sonbarsa P.S. Case No. 214 of 2018.

(Anil Kumar Upadhyay, J)

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