

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2087 of 2019

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

Bigu Mahto @ Raghunath Prasad, son of Kishori 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.Ashhar Mustafa

For the Opposite Party/s : Mr.Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 17-01-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

At the outset, the learned counsel for the petitioner
seeks to make correction which has taken place in paragraph no.
3 of the bail petition on account of typographical error.

Let the same be done during the course of the day.

The petitioner seeks regular bail in connection with
Sonbarsa P.S. Case No. 214 of 2018 registered for the offence
punishable under Sections 272 and 273 of the Indian Penal Code
and Section 30(A) of the Bihar Prohibition and Excise Act,
2016.

The case of the prosecution is that huge quantity of
illicit liquor was recovered from the house of Vijay Panjiar and
Community Hall of the co-accused Vinod Mahto. Subsequently
the accused persons including the petitioner are stated to have
been arrested by the Police.

The learned counsel for the petitioner submits that



neither the aforesaid Community Hall/house belong to the petitioner nor any recovery has been made from the conscious possession of the petitioner and the petitioner has been remanded in the present case after he was arrested in one other case i.e. Sonbarsa P.S. Case No. 173 of 2018. The petitioner is stated to be an accused in one other case i.e. Sonbarsa P.S. Case No. 92 of 2018 in which he is on bail. As regards one other case i.e. Sonbarsa P.S. Case No. 68 of 2013, it is submitted that the Police has already submitted final form/closure report. Lastly, it is submitted that the petitioner is languishing in custody since 12.12.2018 after being remanded in the present case from the earlier case i.e. Sonbarsa P.S. Case No. 173 of 2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sonbarsa P.S. Case No. 214 of 2018.

(Mohit Kumar Shah, J)

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