

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18805 of 2020

Arising Out of PS. Case No.-568 Year-2019 Thana- MASHRAK District- Saran

Ram Babu Mahto, aged about 28 Years, Male, Son of Hira Mahto R/O-
Doeila, P/S.- Isuapur, District- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2020 Heard Mr. Alok Kumar Alok, learned counsel
appearing for the petitioner and learned counsel appearing for
the State through video conferencing.

The petitioner seeks regular bail in connection with
Mashrakh P.S. Case No. 568 of 2019 registered for the offence
punishable under Section 30/30(a)/38/41 of the Bihar
Prohibition and Excise Act, 2016 and under Section 272/273 of
the Indian Penal Code, 1860.

The allegation against the petitioner is that Police got
secret information that the petitioner along with other accused
persons have kept illicit liquor in the field of one Sheonath
Sharma and proceeded towards the place of occurrence
whereupon seeing the Police party three persons fled away and
petitioner was apprehended from the spot. It has further been



alleged that Police recovered a total quantity of 140 liters of country made illicit liquor from the field of Sheonath Sharma.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case inasmuch as from perusal of the first information report and seizure list it would be evident that illicit liquor has not been recovered from the conscious possession or premises belonging to the petitioner and the same has been recovered from the open field of one Sheonath Sharma. Learned counsel further submits petitioner is not having any criminal antecedent and is in custody since 19.02.2020.

Having regard to the submission made by the parties and taking into consideration the fact that illicit liquor has been recovered from the open field of Sheonath Sharma and not from the conscious possession or the premises belonging to the petitioner and petitioner is in custody since 19.02.2020 having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge -cum-



Special Judge, Excise Act, Saran in connection with Mashrakh
P.S. Case No. 568 of 2019.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding
lockdown and social distancing.

(Anil Kumar Sinha, J)

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