

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19135 of 2020

Arising Out of PS. Case No.-149 Year-2019 Thana- MOKAMAH District- Patna

Bhago Prasad Son of Late Ramawatar Paswan Resident of Village -
Kanhaipur, P.S.- Mokama and Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Mokama P.S. Case No 149 of 2019 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016

As per allegation in the FIR, on secret information having been received, house of the accused persons were sorrounded and on being searched, 32 litres of mahua liquor was recovered. The accused Gilo Rai, who was arrested, disclosed that Dhano Devi, Kunal Paswan, Subhash Paswan and the petitioner were in the business of selling liquor. It is stated that on the police personnel reaching the house of the petitioner, the petitioner and other accused person threw the liquor and



managed to escape.

It is submitted by learned counsel for petitioner that the allegations as levelled in the FIR are false and the petitioner has been falsely implicated in the case. He was neither arrested at the spot nor has any incriminating article being recovered from his possession. He is in custody since 8.1.2020 and a number of co-accused have been granted bail, order of which has been enclosed as Annexure-2 in the petition.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts including the petitioner not being arrested at the spot and grant of bail to co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Special Case No. 6164 of 2019 (arising out of Mokama P.S. Case No. 149 of 2019) on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna.

(Partha Sarthy, J)

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