

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21950 of 2020**

Arising Out of PS. Case No.-128 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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BAL KUMAR MAHTO Son of Kishori Mahto Resident of Village -
Mejorganj Mayahi ward no. 01, P.S.- Mejorganj, District - Sitamarhi
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar
For the Opposite Party/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 10-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

At the outset, the learned counsel for the petitioner undertakes to remove all the defects, as pointed out by the stamp reporter, within a period of four weeks of resumption of normal physical functioning of the Court including resumption of physical filing.

Heard the learned counsel for the petitioner and Mr. Nand Kishore Prasad, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Case No. C2/128/ 2020 for the offence punishable under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 36 litres of



illicit Nepali Saufi liquor from the petitioner.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 17.02.2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein, apart from the fact that he is having a clean antecedent, I deem it fit and proper to direct for the release of the petitioner on regular bail.

Accordingly, the petitioner, above-named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J. 2nd cum Special Judge, Excise Act, Sitamarhi in connection with Case No. C2/ 128/2020.

(Mohit Kumar Shah, J)

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