

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21898 of 2020

Arising Out of PS. Case No.-160 Year-2018 Thana- TEGHRHA District- Begusarai

NAWAL MAHTO Son of Late Tarni Mahto Resident of - Kirtaul, Post -
Khizirchak, P.S.- Barauni, District – Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-07-2020 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.

Heard the learned counsel for the petitioner and Smt. Anita Kumari Singh, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Muffasil P.S. Case No. 160 of 2018 for the offence punishable under section 30(a) of Bihar Prohibition & Excise Act, 2016.

The allegation is regarding recovery of 150 litres of illicit wine, kept concealed in a bamboo clump.

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 28.02.2020. It is further submitted that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this



Court vide order dated 16.04.2019 passed in Cr. Misc. No. 23671 of 2019.

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 parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a co-ordinate Bench of this Court, apart from the fact that the petitioner is languishing in custody since 28.02.2020, 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 Additional Sessions Judge-II-cum- Special Judge (Excise Act), Begusrai in connection with Muffasil Case No. 160 of 2018.

(Mohit Kumar Shah, J)

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