

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22413 of 2020

Arising Out of PS. Case No.-119 Year-2019 Thana- GHORASAHAN District- East
Champaran

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SUKAN MAHTO @ SOKHAN SINGH Son of Late Siyaram Mahto @ Jadlal
Mahto @ Jata Mahto Resident of Village - Semari, P.S.- Lakhaura, District -
East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by
way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks
from the date of lifting of the lockdown in the State of Bihar.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1734 liters wine is
recovered.

It has been submitted on behalf of the petitioner that there is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 18-02-2020. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 1734 liters wine is recovered. The name of petitioner surfaced in this case on the basis of disclosure made by co-accused Rabindra Paswan. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran in connection with Ghorasahan (Jitna) P.S. Case No. 119 of 2019.

(Sudhir Singh, J)

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