

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22995 of 2020

Arising Out of PS. Case No.-269 Year-2020 Thana- CHAPRA TOWN District- Saran

Sonu Mahto, son of Lal Babu Mahto @ Chatilal Mahto, resident of village-
Rupganj, P.S. Chapra Town, District Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 09-09-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Chapra Town Police Station Case No. 269 of 2020, registered
for the offence punishable under Section 414 of the Indian Penal
Code and Sections 30(a)/41(i)(ii) of the Bihar Prohibition and
Excise Act, 2016.

The allegation, as per the First Information Report, is
that the police got a secret information that at Village Rupganj,
the petitioner and other accused persons have stocked illicit
liquor in the house, proceeded towards the place of occurrence
and raided the house of Chandan Mehto. It has further been



alleged that on seeing the police, three persons riding on two motorcycles fled away leaving behind their motorcycles and upon search, 60 litres of illicit liquor was recovered from the two motorcycles.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of secret information received by the police. He further submits that from perusal of the First Information Report and the seizure list, it would be evident that the illicit liquor has been recovered from the motorcycles standing near the house of Chandan Mehto and referring to paragraph 12 of this application, he submits that none of the motorcycles belongs to the petitioner. He also submits that the petitioner is in custody since 17.05.2020.

After having heard learned Counsel for the parties and taking into consideration the fact that the illicit liquor has not been recovered from the possession of the petitioner and the petitioner is in custody since 17.05.2020, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be



released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Saran, at Chapra, in connection with Chapra Town Police Station Case No. 269 of 2020.

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.)

Prabhakar Anand/-

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