

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12554 of 2021

Arising Out of PS. Case No.-126 Year-2020 Thana- SONBERSA District- Sitamarhi

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RAJ KUMAR MAHTO S/O KISHORI MAHTO RESIDENT OF VILLAGE
MADHESARA, P.S.-SONBARSA, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Sonebarsa P.S. Case
No.126 of 2020 registered under sections 420, 414, 272 and 273
of the Indian Penal Code and section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated by the
informant that on receiving information that illicit liquor was
being unloaded from a truck, the police personnel reached at the
place of occurrence. It is stated that the two accused persons,
namely, Satish Gaur and Nizamuddin Siddique were arrested
and disclosed named of the persons who had managed to escape



which included the petitioner herein. A total of 370.71 litres of liquor was recovered.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his person or possession. He has been falsely implicated in the case. There is no material against him except the confessional statement of the co-accused made before the police. He is in custody since 1.10.2020 and has no criminal antecedent.

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 and circumstances of the case, the petitioner being in custody for 8 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Sonebarsa P.S. Case No.126 of 2020 on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge II - cum - Special Judge, Excise, Sitamarhi.

(Partha Sarthy, J)

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