

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14195 of 2021

Arising Out of PS. Case No.-409 Year-2020 Thana- BAJPATTI District- Sitamarhi

VISHNU MAHTO Son of Late Ramdev Mahto Resident of Village- Sursand,
P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-07-2021 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 Bajpatti P.S. Case no.
409 of 2020 registered under section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per allegation in the FIR, on seeing the police
personnel two accused persons made an attempt to escape,
however the petitioner was caught. On search a total of 126
litres of Nepali wine was recovered from the car.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his person



or possession. He has no concern with the vehicle in question nor with the allegedly seized liquor. He has no criminal antecedent and in custody since 13.11.2020. Investigation in the case has concluded.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for more than 8 months and not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bajpatti P.S. Case no. 409 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 and Sessions Judge-II-cum-Special Judge, Excise Act, Sitamarhi.

(Partha Sarthy, J)

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