

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26606 of 2021**

Arising Out of PS. Case No.-321 Year-2020 Thana- SAHEBPUR KAMAL District-
Begusarai

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AMIT MAHTO @ AMIT KUMAR Son of Jaijairam Mahto Resident of
Village - Matunaroi, P.S.- Sahebpur kamal , Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv.
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 26-11-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 44.625 litres of IMFL
is stated to have been recovered from the store of the petitioner
used for purpose of storage of husk.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered as alleged from
the possession of the petitioner. In any case, the alleged place of
recovery is not under the exclusive lock and key of the
petitioner. The petitioner is in custody since 24.12.2020 and has



no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for 11 months and not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Sahebpur Kamal P.S. Case no.321 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 Sessions Judge 2nd -cum-Special Judge, Excise Act, Begusarai.

(Partha Sarthy, J)

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