

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30925 of 2021**

Arising Out of PS. Case No.-283 Year-2020 Thana- MAHARAJGANJ District- Siwan

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RUPESH MAHATO @ RUPESH KUMAR SON OF MAHANTH MAHATO
R/O VILLAGE- RATAN PAROLI, P.S.- BHAGWANPUR HAT, DISTRICT-
SIWAN, AT PRESENT- BANWARI TOLA, P.S.- MAHARAJGANJ,
DISTRICT- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr. Nawal Kishore Prasad APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 10-12-2021 Heard Mr. Ashok Kumar, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned counsel for

the State through video conferencing.

Petitioner seeks regular bail in connection with
Maharajganj P.S. Case No. 283 of 2020 registered for the
offence under Section 272, 273 of the I.P.C. and Section 30 (a)
of the Bihar Prohibition and Excise Act, 2016.

The allegation is that a total quantity of 65 liters of
illicit liquor was recovered from the house of the petitioner.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case on the basis of
illicit liquor allegedly having been recovered from the house of



the petitioner. Learned counsel next submits that the house from where illicit liquor has been recovered belongs to the joint family and the petitioner is not the exclusive owner of the same. He next submits that petitioner is in custody since 19-02-2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 19.02.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge cum Special Judge IInd, Siwan in connection with Maharajganj P.S. Case No. 283 of 2020.

(Anil Kumar Sinha, J)

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