

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30707 of 2021

Arising Out of PS. Case No.-748 Year-2019 Thana- CHAPRA TOWN District- Saran

SHYAM BABU MAHTO S/o Late Darshan Mahto @ Sudarshan Mahto R/o
village- Sahebganj, Adda No. 2, Ward No. 29, P.S.- Chapra Town, District-
Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-12-2021 Heard Mr. Santosh Kumar, learned counsel for the

petitioner and Mr. Surendra Prasad Singh, learned counsel for

the State.

Petitioner seeks regular bail in connection with
Chhapra Town P.S. Case No. 748 of 2019 registered for the
offence under Section 30 (a) / 41 (i)(ii) of the Bihar Prohibition
and Excise Act, 2018.

The prosecution story in brief is that Police on the
basis of secret information reached near the place of occurrence
i.e. shop of one lady and recovered a total quantity of 677.490
liters of illicit foreign liquor from the same and the arrested lady
co-accused disclosed the name of the petitioner as the person
who along with others used to bring liquor from Uttar Pradesh



for the purpose of sale.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and illicit liquor has not been recovered from his conscious possession and / or premises belonging to him. He next submits that name of petitioner transpired in this case on the basis of confessional statement made by the co-accused from whose possession illicit liquor has been recovered. He next submits that petitioner is in custody since 27/01/ 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 27/01/2021, illicit liquor has not been recovered from his conscious possession, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, 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. 25,000/- (twenty five thousand) with two sureties of the like amount each



to the satisfaction of learned 2nd Addl. Sessions Judge-cum-Special Judge, Excise, Saran in connection with Chapra Town P.S. Case No. 748 of 2019.

(Anil Kumar Sinha, J)

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