

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35515 of 2021

Arising Out of PS. Case No.-53 Year-2020 Thana- ARARIA District- Araria

Prince Mahto Son of Tribeni Mahto @ Tribani Mahto Resident of Village -
Bapasari, Ward No. 46, P.S.- Pradhannagar, District - Dargling (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-12-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of Covid 19 pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Special Case No. 75 of 2020 arising out of Araria (Bairgachhi O.P.) P.S. Case No. 53 of 2020 instituted for the offences under Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is in custody since 19.01.2020, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that



allegation is of recovery of 666 litres of foreign liquor from a vehicle as mentioned in the F.I.R. and the petitioner and one Vishal Mahto were arrested from the spot.

Learned counsel for the petitioner submits that the vehicle does not belong to the petitioner and he was not aware what was being carried in the vehicle as he is not the owner of the vehicle.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 19.01.2020, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Special Case No. 75 of 2020 arising out of Araria (Bairgachhi O.P.) P.S. Case No. 53 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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