

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44197 of 2021**

Arising Out of PS. Case No.-282 Year-2019 Thana- CHANPATIA District- West Champaran

MAHANTH MAHTO @ MAHANTH MAHATO S/o LATE JAWAHIR
MAHTO @ JAWAHAR MAHTO R/o VILLAGE-GARABHUWA LALA
TOLA, P.S-CHANPATIA (SIRISIYA O.P), DISTRICT-WEST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava
For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 25-08-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel appearing on behalf of the
petitioner and learned Additional Public Prosecutor appearing
on behalf of the State.

This application for grant of regular bail arises out of
Chanpatia (Sirisiya O.P.) P.S. Case No. 282 of 2019 registered
for the offences punishable under Sections 30(a)/30(b) of the
Bihar Prohibition and Excise Act, 2016.

Allegedly, from a place in petitioner's occupation 400
liters of partly manufactured wine was recovered. The
petitioner's prayer for regular bail was earlier rejected by this
Court by an order dated 20.02.2021 passed in Cr. Misc. No.
35812 of 2020. The petitioner is in custody since 01.06.2020.



Considering the long criminal antecedents of the petitioner, his prayer for regular bail was earlier rejected.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner has already remained in custody for more than a year and he is ready to present himself at the trial as and when required.

Considering the facts and circumstances, as noted above, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bettiah, West Champaran in Chanpatia (Sirisiya O.P.) P.S. Case No. 282 of 2019.

This order is subject to the condition that if the petitioner is found indulging in such activities and any case under the provisions of Excise Act is instituted against him, the prosecution shall be under obligation to apply for cancellation of his bail.

(Chakradhari Sharan Singh, J)

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