

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32891 of 2020

Arising Out of PS. Case No.-61 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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RAJA KUMAR MAHTO Son of Dashrath Mahto Resident of Village - Jorja,
P.S. - Baheri, District - Darbhanga. At present resident of village -
Chhatneshwar, P.S. - Warisnagar, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-01-2021

Heard learned counsel for the parties.

This application for grant of regular bail arises out of
Excise Case No. 61 of 2020 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition and Excise
Act (Amendment) 2018.

It is alleged that 494.490 liters of illicit liquor was
recovered from a hut, which, according to the police, belonged
to the petitioner. The petitioner is in custody since 16.02.2020.
His prayer for regular bail was earlier rejected by this Court by
an order dated 24.06.2020 passed in Cr. Misc. No. 18104 of
2020, mainly for the reason that the petitioner had not taken a
plea that the hut, from where the recovery was made, did not
belong to him.

Learned counsel appearing on behalf of the petitioner



has submitted that the petitioner is not resident of the village from where the recovery was made. He has further submitted that the petitioner has no criminal antecedent.

Considering the fact that the petitioner is in custody since 16.02.2020 and there is no likelihood of conclusion of trial in near future, 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 Additional Sessions Judge 2nd cum Special Judge, Excise, Samastipur, in Excise Case No. 61 of 2020.

(Chakradhari Sharan Singh, J)

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