

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48973 of 2021

Arising Out of PS. Case No.-348 Year-2020 Thana- UJIYARPUR District- Samastipur

Ram Karan Mahto S/o Ramchandra Mahto R/o village- Mukhtiyarpur, P.S.-
Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirtyunjay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-12-2021 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 Ujiyarpur P.S. Case No. 348 of 2020 dated 21.11.2020 instituted for the offences under Sections 30(a), 41(1), (i) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that the petitioner is in custody since 15.01.2021 and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that



allegation is of recovery of 151.2 liters of liquor from a Santro car. It is further alleged that the driver fled away but the driver was identified as petitioner.

Learned counsel for the petitioner submits that the petitioner was not apprehended at the spot and he has been falsely implicated in the present case by his enemies.

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 15.01.2021, charge-sheet has been submitted in the case and he was not apprehended from the spot, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with Ujiyarpur P.S. Case No. 348 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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