

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.701 of 2021

Arising Out of PS. Case No.-284 Year-2020 Thana- BAIKUNTHPUR District- Gopalganj

DHANESH MAHTO Son of Bharat Mahto Resident of Village- Ekderwa,
P.S.- Baikunthpur, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Baikunthpur P.S. Case no. 284 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, on a raid being conducted, it is stated that the three named accused persons including the petitioner herein managed to escape and 335 litres of country liquor was recovered.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating material has been recovered from his possession. He has no criminal antecedent and has been falsely implicated in the case for the reason that the land from which the alleged



seizure has been made is the subject matter of a dispute in a proceeding under section 144 Cr.P.C wherein the petitioner is a party. He is in custody since 11.10.2020 and charge sheet has been submitted in the case.

Learned APP for the State has opposed the prayer for bail.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Baikunthpur P.S. Case no. 284 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II, Gopalganj.

(Partha Sarthy, J)

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