

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54983 of 2021

Arising Out of PS. Case No.-194 Year-2021 Thana- DUMRA District- Sitamarhi

Sanjay Mahto Son of Raghvendra Mahto @ Rajmangal Mahto Resident of
Village - Nagwan Azamgarh Lagma, P.S.- Dumra, District - Sitamarhi
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar-Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-12-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Dumra P.S. Case No. 194 of 2021 instituted for the offences
under Sections 30(a), 36 and 41(i) of the Bihar Prohibition and
Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 22.07.2021 and charge-sheet has
been submitted in the case.

Allegation is of recovery of 2014.440 litres of liquor
from the garden of one Pramod and name of this petitioner
transpired in the confessional statement of a co-accused,
Chandan Kumar.



Learned counsel for the petitioner submits that the petitioner was not apprehended at the place of occurrence and the recovery was made from the place which does not belong to the petitioner and his name has come based on the confessional statement before the police.

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 22.07.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Dumra P.S. Case No. 194 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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