

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5280 of 2021

Arising Out of PS. Case No.-362 Year-2020 Thana- BAKHARI District- Begusarai

Ram Prit Mahto Son of Khedru Mahto Name of father- in- law- Late Harilal Mahto @ Heeralal Mahto, Resident of Village - Darha Than Singh, Ward no. 01, Bakhri Bazar, P.S.- Bakhri, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-03-2021 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 Bakhri P.S. Case no. 362 of 2020 registered under section 30(a)(d) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, a secret information was received that the seven named accused persons including the petitioner herein were preparing country liquor and on search, it is stated that various articles used for preparation including 90 litres of country liquor was recovered from the orchard of one Amarnath Sah.

It is submitted by learned counsel for the petitioner that the petitioner was neither arrested at the spot nor does he



have any concern with the seized article or the orchard of Amarnath Sah. It is further submitted that five of the accused persons including Pramod Kumar Mahto have been enlarged on bail vide order dated 24.3.2021 passed in Cr. Misc. no. 3203 of 2021, the petitioner has no criminal antecedent and is in custody since 16.9.2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the period in custody and 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 Bakhri P.S. Case no. 362 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 Sessions Judge II-cum-Special Judge, Bihar Prohibition and Excise Act, Begusarai.

(Partha Sarthy, J)

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