

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6152 of 2021

Arising Out of PS. Case No.-778 Year-2020 Thana- MADHAURAH District- Saran

CHUMMAN MAHTO @ CHUMMAN SAH SON OF RANGLAL MAHTO
R/O VILLAGE- REPURA, P.S.- MARHAWRAH, DISTRICT- SARAN AT
CHAPRA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudama Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-04-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through Video
Conferencing.

The petitioner seeks regular bail in connection with
Marhowrah Police Station Case No. 778 of 2020, registered for
the offences punishable under Sections 30/30(a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is
that the police, on the basis of the secret information that some
persons are manufacturing and selling illicit liquor, proceeded
towards the place of occurrence and upon seeing the police
party, the accused persons fled away. However, the village
chowkidar disclosed the name of the petitioner and others. Upon



search, the police recovered a total quantity of 20 litres of illicit country-made liquor from the place of occurrence, kept in a gallon.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. He next submits that from perusal of the First Information Report, it would be evident that illicit liquor has not been recovered from the conscious possession of the petitioner and the same has been recovered from the bank of river. He next submits that the petitioner is in custody since 11.11.2020 and charge sheet has been submitted, as such, there is no likelihood of the petitioner being abscond or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 11.11.2020 and charge sheet has been submitted against him, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Special Judge, Excise, Saran, in connection with Marhowrah Police Station Case No. 778 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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