

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6640 of 2021

Arising Out of PS. Case No.-228 Year-2019 Thana- GAIGHAT District- Muzaffarpur

1. Vinod Mahto S/O Late Duldul Mahto R/O Village- Hanuman Nagar, P.S. Gaighat (Beni Bad O.P) Dist.- Muzaffarpur
2. Vishwanath Mahto S/O Late Duldul Mahto R/O Village- Hanuman Nagar P.S.- Gaighat (Beni Bad O.P.) Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-04-2021 Heard learned counsel for the petitioners and learned A.P.P for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Gaighat P.S. Case no.228 of 2019 registered under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., 30 and 35 litres of illicit liquor respectively was recovered from the house of petitioner nos.1 and 2.

It is submitted by learned counsel for the petitioners that no recovery as alleged has taken place from the



possession or house of the petitioners. They have been falsely implicated in the case. The petitioners have no criminal antecedent and are in custody since 6.10.2020. Charge sheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the period in custody and chargesheet having been submitted in the case, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Gaighat P.S. Case no.228 of 2019 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur.

(Partha Sarthy, J)

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