

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6766 of 2022

Arising Out of PS. Case No.-823 Year-2021 Thana- NAGAR District- Vaishali

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LALA MAHTO @ LALBABOO MAHTO SON OF DASHARATH MAHTO
R/O VILLAGE- HARIBANSPUR, P.S.- HAJIPUR TOWN IN THE
DISTRICT OF VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar

For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State through virtual court proceeding.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Hajipur Town P.S. Case No. 823 of 2021
registered for the alleged offences under Section 30 (a) of the
Bihar Prohibition and Excise Act, 2018.

Allegedly from the possession of this petitioner, 15
liters of country made liquor was recovered. He is in custody
since 14.10.2021.

Learned counsel for the petitioner submits that place



from where recovery has been made does not belong to the petitioner. He is only co-sharer of the hut. The petitioner was not present at the spot and nothing has been recovered from his conscious possession. Charge sheet has been submitted in this case and the petitioner is in custody since 14.10.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the submissions made hereinabove and considering the quantity of liquor seized and the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-Cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 823 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail



bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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