

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20474 of 2022

Arising Out of PS. Case No.-474 Year-2021 Thana- GAIGHAT District- Muzaffarpur

NANDLAL MAHTO Son of Late Kusheshwar Mahto Resident of Village -
Bakhari, Pasi Tola, P.S.- Gaighat, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the offences punishable under Sections 272, 273, 290 and 34 of the Indian Penal Code read with Sections 30(a) and 37 (B)(C) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 01.02.2022, is a person with clean antecedent and charge-sheet has been submitted in the case.

Allegation is of recovery of 42 litres of liquor from the toddy shop of the petitioner kept in a gallon.

Learned counsel for the petitioner submits that the petitioner was not arrested from the place of occurrence rather his name transpired in the confession of co-accused who were



arrested and it is also submitted that the petitioner was completely unaware that who had kept the liquor in his shop in his absence.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 01.02.2022, is a person with clean antecedent, charge-sheet has been submitted in the case, he was not arrested from the spot and his name transpired in the confessional statement of co-accused, let the petitioner above named be released on bail on furnishing bail bond of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gaighat P.S. Case No. 474 of 2021.

(Satyavrat Verma, J)

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