

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.24281 of 2022**

Arising Out of PS. Case No.-438 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Muzaffarpur

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SANJAY MAHTO Son of Raghunath Mahto Resident of Village - Nunfar,  
Saraiyaganj, P.S.- Town, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA  
ORAL ORDER**

2      20-05-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period  
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the  
offence punishable under Section 30(a) of the Bihar Prohibition  
and Excise Act, 2016.

Allegation is of recovery of 51.585 litres of liquor  
from the terrace of the house of the petitioner.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 28.02.2022, prosecution report has  
been submitted and is a person with clean antecedent. Learned  
counsel further submits that petitioner was not arrested from the  
spot and the house is a joint family property and, as such,



petitioner was not aware who had kept the liquor in the house.

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

Considering the fact that the petitioner is in custody since 28.02.2022, prosecution report has been submitted and is a person with clean antecedent and was not arrested from the spot and name of the petitioner transpired based on information provided by his enemies, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Excise Case No. 438 of 2021 arising out of P.R. No. 65 of 2021.

**(Satyavrat Verma, J)**

Kundan/-

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