

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39223 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- ISUAPUR District- Saran

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BIRENDRA MAHTO Son of Laxman Mahto Resident of Village - Dhama,
P.S.- Issuapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 18-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 420 litres of liquor was recovered from the bushes behind the house of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession or his house. The alleged place of recovery is an open place accessible to all. The reason for petitioner's false implication is an antecedent under the Bihar Prohibition and Excise Act, 2016. He is in custody since 16.4.2021 and investigation in the case has concluded.

Heard learned A.P.P. for the State.



Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioner having remained in custody for 1 year and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Issuapur P.S. Case no.10 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran.

(Partha Sarthy, J)

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