

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39442 of 2021

Arising Out of PS. Case No.-102 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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KUSH MAHTO @ KUSHO MAHTO S/O LATE PALTU MAHTO R/O
VILLAGE-RAJWARA, WARD NO. 01, P.S-BARAUNI, (GARHARA O.P.),
DISTRICT-BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-01-2022 Heard learned counsel for the parties through
video conferencing.

Petitioner seeks regular bail in connection with
Excise Case No. 102 C2 of 2021 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

Prosecution case in brief is that Excise officials on
the basis of secret information raided the cement godown of
Rahul Kumar @ Dablu Singh and recovered a total quantity
of 5542.560 liters of illicit foreign liquor. The petitioner was
found standing near the godown and was arrested by the
Police.



Learned counsel for the petitioner submits that petitioner has falsely been implicated on the basis of the allegation that he was standing near the cement godown as a care taker and was keeping watch on the illicit liquor kept in the godown. He next submits that petitioner has got no criminal antecedent, he is in custody since 29/03/2021 and no illicit liquor has been recovered either from the conscious possession of the petitioner or the premises belonging to him.

Regards being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, he is in custody since 29/03/2021, no illicit liquor has been recovered either from his conscious possession or the premises belonging to him and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/-(twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional



Sessions Judge II Begusarai cum Special Judge, Bihar
Prohibition and Excise Act, in connection with Excise Case
No. 102 C2 of 2021.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding
social distancing.

(Anil Kumar Sinha, J)

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