

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40111 of 2021

Arising Out of PS. Case No.-434 Year-2020 Thana- TAJPUR District- Samastipur

MANJAY MAHTO @ MANJAY KUMAR Son of Ram Naresh Mahto @
Balo Mahto Resident of Village - Harpur Aalouth, P.S. - Musrigharari, District
- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 41(1), 41(2) and 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 200 litres of liquor was recovered from the pick up van and 141 litres of liquor was recovered from the Maruti car. The petitioner happens to be the registered owner of the pick up van.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason of his being the registered owner of the pick up van. Neither any incriminating article has been recovered from



the petitioner's possession nor was he arrested at the spot. The petitioner is in custody since 26.4.2021 and has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts of the case including the petitioner having remained in custody for more than 9 months, the Court directs the petitioner to be enlarged on bail in connection with Tajpur P.S. Case no.434 of 2020 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 Additional Sessions Judge II-cum-Special Judge (Excise), Samastipur.

(Partha Sarthy, J)

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