

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41765 of 2021**

Arising Out of PS. Case No.-119 Year-2021 Thana- BARAUNI District- Begusarai

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FUDKI MAHTO @ FUDO MAHTO S/o Late Ishwar Mahto Resident of
Village- Ganga Prasad Bind Toli, P.S.- Barauni (Chakiya), District- Begusarai.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Prem Kumar

For the Opposite Party/s : Mr.Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 06-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Barauni P.S. Case No. 119 of 2021, registered for the offence
punishable under Section 30(a)(c) of the Bihar Prohibition &
Excise Act, 2018.

The petitioner is in custody since 29.04.2021. The
police had allegedly received information in respect of illegal
manufacture of country made liquor. A raid was accordingly
conducted, leading to recovery of 90 liters of country made
liquor and other articles useful for manufacture of country made
liquor. Allegedly, on seeing the police, some of the persons



present at the place of occurrence managed to flee away, whereas one Vijay Mahto was caught by the police. He is said to have accepted before the police that he was involved in illegal manufacture of country made liquor and the petitioner was one among those who had fled away from the place where the raid was conducted.

Learned counsel appearing on behalf of the petitioner has submitted that there is no specific allegation against the petitioner, which can be said to be making out an offence under the provisions of the Act. The petitioner is in custody since 29.04.2021.

Considering the nature of accusation and the period of petitioner's incarceration, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai, in Barauni P.S. Case No. 119 of 2021.

(Chakradhari Sharan Singh, J)

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