

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41485 of 2021

Arising Out of PS. Case No.-447 Year-2020 Thana- RIVILGANJ District- Saran

RAM BABU MAHTO Son of Late Sadhu Mahto Resident of Village -
Rupganj, P.S.- Chapra Town, Distt.- Saran (Chapra).

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2022

Heard.

The petitioner seeks regular bail in connection with
Revilganj P.S. Case No. 447 of 2020, registered for the offence
punishable under Section 30(a), 41(i) of the Bihar Prohibition
and Excise Act, 2016.

The allegation is regarding recovery of 90 liters of
illicit liquor from near the bank of Saryug river.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 29.4.2021.
The learned counsel for the petitioner has further submitted that
neither any recovery of illicit liquor has been made from the
conscious possession of the petitioner nor the place from where
the illicit liquor has been recovered, belongs to the petitioner. It
is also submitted that only because of bad antecedent, he has



been falsely implicated in the present case by the Dafadar and the local people.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the place from where the illicit liquor has been recovered, does not belong to the petitioner and moreover, no illicit liquor has been recovered from the conscious possession of the petitioner, I deem fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Chapra, District Saran in connection with Revilganj P.S. Case No. 447 of 2020.

(Mohit Kumar Shah, J)

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