

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49706 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- PURNAHYA District- Sheohar

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UMESH MAHTO Son of Late Rajkumar Mahto Resident of Village - Dostiya
Uttari, P.S.- Purnahiya, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinesh Jha, Advocate

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-03-2022 Heard the learned counsel for the petitioner and

Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with
Purnahiya PS case no. 79 of 2021 instituted for the offences
punishable under Sections 30(a), 37(2) of Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding recovery of 25.800
liters of illicit liquor from a sack loaded on the cycle of the
petitioner, apart from recovery of various quantity of illicit liquor
from other co-accused person.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case, is having a clean antecedent and is
languishing in custody since 11.05.2021. The learned counsel for



the petitioner has further submitted that the petitioner was merely a passer-by and he has been falsely implicated in the present case after the real culprit had fled away.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for 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 period of incarceration of the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of A.D.J. II-cum-Special Judge, Excise Act, Sheohar in connection with Purnahiya PS case no. 79 of 2021.

(Mohit Kumar Shah, J)

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