

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43439 of 2022

Arising Out of PS. Case No.-345 Year-2021 Thana- DIGHWARA District- Saran

RAJBALLAM MAHTO @ RAJ VALAM MAHTO @ RAJ BALAM
MAHTO Son of Late Dipa Mahto @ Late Sipahi Mahto Resident of village-
Shobhepur, Babhangawa, PS- Naya Gaon, district- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Rajesh Kumar Singh, Advocate Mr. Anant Kumar Bhaskar, Advocate
For the Opposite Party/s	:	Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Dighwara
P.S. Case No. 345 of 2021 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 23.04.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 250 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that recovery of alleged illicit liquor and utensils was
made from open place which is not connected in any manner



with petitioner. It is submitted that nothing surfaced during course of investigation to connect petitioner, *prima facie*, with present recovery of illicit liquor. It has been submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as nothing surfaced during course of investigation to connect petitioner, *prima facie*, with alleged recovery coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Dighwara P.S. Case No. 345 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-1st Exclusive Special Judge Excise, Saran at Chapra/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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