

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55025 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- KATHAIYA District- Muzaffarpur

PRAMOD MAHTO @ PANNALAL SON OF LATE NAGINA MAHTO
RESIDENT OF VILLAGE- HARPUR, POLICE STATION- KATHAIYA,
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-05-2022 Heard Mr. Arvind Kumar, learned counsel for the

petitioner and Mr. Akbar Ali, Additional Public Prosecutor for

the State.

Petitioner seeks regular bail in connection with
Kathaiya PS Case No. 18/2021 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition & Excise
Act.

As per First Information Report, the police on the
basis of information that two accused persons including
petitioner are engaged in sale of illicit liquor proceeded towards
the place of occurrence i.e., hutment of the petitioner, and upon
seeing the police party both the accused persons succeeded in
fleeing away. The police however, recovered altogether 28.125



litres of illicit liquor from the said hutment.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to disclosure of his name by villagers. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioner rather the same has been recovered from the hutment which is an open space accessible to all and sundry.

Learned counsel for the petitioner further submits that the petitioner is in custody since 01.08.2021 having no criminal antecedent.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, petitioner is in custody since 01.08.2021 having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, PRAMOD MAHTO @ PANNALAL be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-



Excise, Muzaffarpur in connection with Kathaiya PS Case No.
18/2021.

(Anil Kumar Sinha, J)

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