

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58360 of 2021

Arising Out of PS. Case No.-258 Year-2021 Thana- RIGA District- Sitamarhi

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Sujay Mahto @ Sujay Kumar Mahto Son of Nathuni Mahto Resident of
Village - Madhesra, P.S.- Sonbarsa, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhubala Verma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-01-2022 Heard learned counsel for the petitioner and Ms.

Sharda Kumari, learned A.P.P. for the State through virtual court

proceedings.

The petitioner seeks regular bail in connection with
Riga P.S. Case No. 258 of 2021 instituted for the offences under
Section 414 of the Indian Penal Code read with Section 30(a) of
the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 22.07.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that as per
F.I.R. it is alleged that 180 ml. liquor was recovered from one
Raju Kumar who disclosed that petitioner and other named
accused persons were planning to distribute liquor procured by



him. Accordingly a truck and car was searched and 2739.60 litres of liquor was recovered.

Learned counsel for the petitioner submits that the petitioner was not arrested on spot and his name transpired in the confessional statement of said Raju Kumar with whom he has no concern, further confessional statement has no evidentiary value in the eyes of law.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 22.07.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi in connection with Riga P.S. Case No. 258 of 2021.

(Satyavrat Verma, J)

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