

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59623 of 2021**

Arising Out of PS. Case No.-125 Year-2019 Thana- DEHRI TOWN District- Rohtas

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NARESH MAHTO @ MALIK MAHTO @ RAJENDRA MAHTO @
RAJENDRA SINGH Son of Late Singhasan Mahto Resident of Village -
Jamuhar, P.S.- Dehri, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 20-05-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor appearing for the State through

video conferencing.

Petitioner seeks regular bail in connection with Dehri
(Town) P.S. Case No. 125/2019 registered for the offences
punishable under Sections 30(a), 35 and 38 of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

The First Information Report in nutshell is that the
Police got secret information that the petitioner being the brick
kiln owner with the help of other accused persons brought the
consignment of liquor, proceeded towards the place of
occurrence and recovered a total quantity of 4593.60 litres of
illicit liquor from a truck standing near the brick-kiln and 1782



litres of the illicit liquor from a pick up van parked near the brick-kiln.

Learned counsel for the petitioner submits that the truck and pick up van were not parked inside the brick-kiln and from perusal of the seizure list it would be evident that the vehicles were standing near the brick-kiln. He further submits that other co-accused person namely, Amit Kumar, whose Motorcycle was parked inside the brick-kiln has been granted bail by this Court in Cr. Misc. 53381 of 2021. He further submits that similarly situated co-accused persons namely, Upendra Singh and Md. Saifullah Ansari have been granted bail by this Court in Cr. Misc. 56262 of 2021. The petitioner is in custody since 22.3.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that similarly situated co-accused persons have been granted bail by this Court, the petitioner is in custody since 22.3.2021 and the vehicles were not found parked inside the premises of the brick-kiln, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bonds of Rs.20,000/-
(Twenty thousand) with two sureties of the like amount each to
the satisfaction of learned Additional District and Sessions
Judge 2nd – cum – Special Judge, Excise, Rohtas at Sasaram in
connection with Dehri Town P.S. Case No. 125 of 2019.

(Anil Kumar Sinha, J)

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