

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60209 of 2021**

Arising Out of PS. Case No.-107 Year-2021 Thana- BISHWAMBHARPUR District-
Gopalganj

SHIVCHANDRA MAHTO @ SHIV CHAND MAHTO Son of Madan Mahto
Resident of Village - Siswa Sob, P.s.- Kalyanpur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari
For the Opposite Party/s : Mr.Sucheta Yadav

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 29-03-2022

Heard.

The petitioner seeks regular bail in connection with Vishambharpur P.S. Case No. 107 of 2021, registered for the offence punishable under section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of 138.240 liters of illicit liquor from a vehicle upon the same being intercepted by the police and search having been made.

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 06.09.2021. The learned counsel for the petitioner has referred to Paragraph No. 7 of the present petition to submit that the petitioner is neither the driver nor the owner of the vehicle in question, hence he has no complicity in the matter.

Per contra, the learned APP 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 parties and taking into account the materials available on record as also considering the fact that the petitioner is stated to be neither the driver nor the owner of the vehicle in question and is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court of Additional District & Sessions Judge II, Gopalganj in



connection with Vishambharpur P.S. Case No. 107
of 2021.

(Mohit Kumar Shah, J)

Tiwary/-

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