

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61648 of 2021

Arising Out of PS. Case No.-152 Year-2021 Thana- DHANAHA District- West Champaran

MAHANGU MAHTO Son of Late Khenari Mahto Resident of Village -
Sarotar, P.S.- Dumariyaghat, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-03-2022

Heard.

The petitioner seeks regular bail in connection with Dhanaha P.S. Case No. 152 of 2021, registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

The allegation is regarding recovery of 55.92 liters of illicit liquor from a tempo which was being driven by the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 04.09.2021. The learned counsel for the petitioner has referred to paragraph No. 12 of the present petition to submit that the petitioner is not the owner of the tempo in question,



hence, he cannot be saddled with the liability of the illicit liquor seized from the tempo in question.

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 has categorically stated in the present petition that the vehicle in question does not belong to the petitioner, apart from the fact that the petitioner is languishing in custody since about 7 months, 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 the learned court of Special Judge, Excise, Bettiah, West Champaran, in connection with Dhanha P.S. Case No. 152 of 2021.

(Mohit Kumar Shah, J)

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