

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61323 of 2021**

Arising Out of PS. Case No.-264 Year-2021 Thana- GAIGHAT District- Muzaffarpur

ANIL MAHTO S/o- Pukar Mahato @ Ram Pukar Mahto R/o Village-
Hanuman Nagar, P.S.- Gaighat (Benibad O.P.), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha-1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 28-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Gaighat (Benibad O.P.) P.S. Case No. 264 of 2021 instituted for
the offences under Sections 272, 273, 414/34 of the Indian Penal
Code read with Sections 30(a), 36 and 41(I) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that the
petitioner is in custody since 05.09.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of 33 litre of country made
liquor near the hut of Sanjit Kumar apart from other articles.

Learned counsel for the petitioner submits that



petitioner was not apprehended from the place of occurrence and name of the petitioner transpired in the confessional statement of co-accused which has no evidentiary value.

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

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Gaighat (Benibad O.P.) P.S. Case No. 264 of 2021.

(Satyavrat Verma, J)

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