

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66794 of 2021

Arising Out of PS. Case No.-406 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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UMESH MAHTO, S/o Late Ranglal Mahto Resident of Village - Kacha-
haripur, P.S. - Sonbarsa, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar
For the Opposite Party/s : Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 30(a) of the
Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 849 litres of liquor was
recovered from the Tata Magic vehicle and the petitioner was
taken into custody.

It is submitted by learned counsel for the petitioner
that on perusal of the FIR itself, it would transpire that the peti-
tioner is a mechanic and at the relevant time, he was examining
the vehicle. He was neither the driver nor the Khalasi of the ve-
hicle and has neither any concern nor any knowledge with re-



spect to the contents of the goods loaded. He is in custody since 26.08.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR together with the petitioner not having any criminal antecedent, period in custody being eight months and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with C2 Case No. 406 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge Ind-cum-Special Judge (Excise), Sitamarhi.

(Partha Sarthy, J)

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