

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68160 of 2021**

Arising Out of PS. Case No.-110 Year-2020 Thana- HASANPUR District- Samastipur

ARVIND MAHTO Son of Ram Pratap Mahto Resident of Village - Khorl,
P.S. Hasanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abdul Mannan Khan, Adv.

Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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

2 07-06-2022 Heard.

The petitioner seeks regular bail in connection with Hasanpur P.S. Case No. 110 of 2020, registered for the offence punishable under section 30(a) of the Bihar Prohibition Excise Act, 2016.

The police is stated to have conducted a raid in the house of the co-accused person namely Ram Pratap Mahto and recovered 30 liters of illicit country made liquor. It is also alleged that the said co-accused person Ram Pratap Mahto was arrested from the spot and two other persons including the petitioner herein, had managed to flee away.

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 15.16.2021. The learned counsel for the petitioner has further submitted that the father of the petitioner herein from whose house 30 liters of illicit country made liquor has been recovered, has already been granted bail by the learned court below. It is also submitted that neither the petitioner was arrested from the spot nor any illicit country made liquor has been recovered from his possession.

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 neither the petitioner has been arrested from the spot nor any illicit liquor has been recovered from his conscious possession apart from the fact that the father of the petitioner from whose house illicit country made liquor has been recovered, has already been granted bail, 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 bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Addl. Sessions Judge-2 cum Special Judge (Excise), Samastipur in connection with Hasanpur P.S. Case No. 110 of 2020.

(Mohit Kumar Shah, J)

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