

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68758 of 2021

Arising Out of PS. Case No.-188 Year-2018 Thana- PATEPUR District- Vaishali

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KISHUNI MAHTO Son of Late Sitaram Mahto Resident of Village -
Bhairokhara Bishunpur, P.S. - Patepur, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Acharya, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a), 32(2), 38(2) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being conducted 382.92 litres of IMFL is said to have been recovered from a rented premises which allegedly was rented by one Jagdish Singh to the petitioner herein.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor has he any concern with the seized liquor or the premises from which the same was recovered. The petitioner is in custody since 31.7.2021 and chargesheet has been submitted in the case. With respect to the antecedent, it is submitted that the said case arises



out of the same occurrence.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the period in custody, the petitioner is directed to be enlarged on bail in connection with Patepur P.S. Case no. 188 of 2018 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. Sessions Judge II-cum-Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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