

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2914 of 2023

Arising Out of PS. Case No.-416 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Ram Babu Mahto Son Of Late Ram Prasad Mahto Resident Of Village-
Mathurapur, P.S.- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 30(a) of the
Bihar Prohibition and Excise Act.

It is a case of recovery of total 16 liters illicit toddy (a
type of alcoholic liquor) from the shop of the petitioner and his
associate.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
suspicion. The petitioner has no concern with the alleged
recovery and neither he is owner of the shop nor land belongs to



him. It is further submitted that the seizure list has not been prepared according to the Section 100 of the Cr.P.C. He is languishing in judicial custody since 23.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise P.S. Case No. 416 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No-2, Samastipur.

(Sunil Kumar Panwar, J)

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