

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3976 of 2023

Arising Out of PS. Case No.-760 Year-2022 Thana- ALAMGANJ District- Patna

SANTOSH KUMAR @ SANTOSH MAHTO Son of Yogendra Mahto R/o
Mohalla- Badi Patan Devi Colony, P.S- Alamganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

For the Opposite Party/s : Mrs.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 27-04-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Alamganj P.S. Case No. 760 of 2022, dated 29.09.2022
registered for the offences punishable under Sections 30(a) and
36 of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that as per the prosecution, total 150 liters country
made wine (*Mahua Wine*) was recovered from a cart (*Thela*) and
the petitioner is simply a cart-puller of the alleged cart who was
only discharging his regular duty as he used to do loading and
unloading of goods on his cart on payment and there is no
independent witness of the alleged search and seizure rather
they all are police personnel. Further submission is that the



petitioner has been languishing in jail since 29.09.2022.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly the custody period of the petitioner, in my opinion a lenient approach can be taken in respect of the petitioner's prayer for bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Alamganj P.S. Case No. 760 of 2022.

(Shailendra Singh, J.)

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