

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8216 of 2023

Arising Out of PS. Case No.-1171 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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AKHILESH KUMAR MAHTO S/o Ram Pravesh Prasad R/o Village- Milki,
P.S.- Kopa, Distt- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Ranjan
For the Opposite Party/s : Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner seeks regular bail in connection with
Utpad thana (Patna) P.S. Case No. 1171/2022, registered for the
offence punishable under Sections 30(a) & 56(b) of the Bihar
Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. Petitioner has
no criminal antecedent. Seizure list is not proper and not
prepared in accordance with section 100 of the Cr.P.C. It is
further alleged that the petitioner is not owner of the concerned
boat. The alleged liquor had not been recovered from the
conscious possession of the petitioner and he is in custody since



24.11.2022.

Learned APP has vehemently opposed the prayer for bail.

Considering the nature of allegation levelled against the petitioner, his period of custody and also the fact that he has clean antecedent, this application is allowed.

Let the petitioner, above named, be released 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 Special Judge (Excise), Patna in connection with Utpad thana (Patna) P.S. Case No. 1171/2022.

(Sandeep Kumar, J)

Ranjeet/-

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