

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9590 of 2023

Arising Out of PS. Case No.-549 Year-2021 Thana- CHANPATIA District- West Champaran

RAMCHANDRA MAHTO S/O LATE JAWAHIR MAHTO R/v- Garabhuwa
Lala Tola, P.S.- Chanpatia (Sirisiya O.P.), District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 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.

The prosecution story, in brief, is that the police party reached *Bhatti* of Village- Garbhuwa Lala Tola after getting secret information but the accused persons succeeded to flee away after seeing them. Upon search, 50 liters country made liquor was recovered from place of occurrence.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit



liquor or with the place of occurrence. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession rather the local Chaukidar & spy disclosed the name of the petitioner. Moreover, the petitioner is languishing in judicial custody since 22.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chanpatiya (Sirisiya O.P) P.S. Case No. 549 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Bettiah at West Champaran.

(Sunil Kumar Panwar, J)

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