

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7329 of 2023**

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

Chhotelal Mahto Son Of Mahesh Mahto R/O Vill.- Garabhuwa Lala Tola,
P.S.- Chanpatia (SIRISIYA O.P.), Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

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

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Chanpatia
(Sirisiya O.P) P.S. Case No. 549 of 2021 registered for the
offence under Sections 30(a) of the Bihar Prohibition and Excise
Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 27.09.2022 and there is recovery of
35 litres chulai liquor and 1000 litres of half made liquor from
his possession and he has four criminal antecedents.



Learned APP has vehemently opposed the prayer of bail.

Considering the period of custody and recovery of liquor from his possession, this application for regular bail is allowed.

Let the petitioner, above named, be released **after framing of charge, if the charge has not be framed as yet** on bail 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, West Champaran at Bettiah in connection with Chanpatia (Sirisiya O.P) P.S. Case No. 549 of 2021.

The District Judge/ Special Judge (Excise) is directed to expedite the trial of following cases:-

(1) Chanpatia (Sirisiya O.P) P.S. Case No. 78 of 2019 for the offences under Section 467, 468, 414 of the I.P.C and Sections 30(a), 30(b) and 30(c) of the Bihar Prohibition and Excise Act, 2016

(2) Bettiah Manuapool P.S. Case No. 415 of 2018 offence U/s 279/ 337 and 414 of the IPC and 30(a) of the Bihar Prohibition and Excise Act, 2016 and petitioner is on bail.



(3)Chanpatia Sirisiya O.P. P.S. Case No. 117 of 2020
offence U/s 30(a)/ 30(b) of the Bihar Prohibition and Excise
Act.

(4) Chanpatia (Sirisiya O.P.) P.S. Case No. 29 of 2022
offence U/s 30(a) of the Bihar Prohibition and Excise Act.

The petitioner will visit Chanpatia (Sirisiya O.P) P.S.
Case No. 549 of 2021 Police Station on the first Sunday of each
month. Any default in appearance at the Police Station would be
result in cancellation of bail bond of the petitioner.

(Sandeep Kumar, J)

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