

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17619 of 2023**

Arising Out of PS. Case No.-121 Year-2021 Thana- PANDAUL District- Madhubani

Shankar Mahto S/O- Heera Mahto @ Heera Chaudhary @ Rira Mahto R/O-
Village- Pandaul Bazar, P.S.- Pandaul, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Vinod Kumar, Advocate
For the Opposite Party/s :	Mr. Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

3 09-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Pandaul P.S. Case No. 121 of 2021, dated 16.06.2021 registered
for the offences punishable under Sections 272, 273 and 34 of the
Indian Penal Code and Sections 30(a), 36 and 38(1) of the Bihar
Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of 477.3
litres of *foreign liquor* and the same is stated to have been
recovered from two *Scooty vehicles* and a *wooden shop* and as per
prosecution's allegation petitioner is stated to be owner of the said
shop and one of the *Scooties* but the alleged wine was not
recovered from his conscious possession and he has fair and clean



antecedent and against him the investigation has been completed. Further submissions are that the petitioner earlier preferred Cr. Misc. No. 41537 of 2022, for the relief of anticipatory bail which was allowed on the condition to deposit Rs. 10,000/- in the District Legal Services Authority, Madhubani but the petitioner could not deposit the said amount on account of his financial condition and therefore he could not avail the said privilege of anticipatory bail and in the present matter he has been languishing in jail since 03.12.2022 and against him the investigation has been completed.

4. Learned APP appearing for the State opposes the prayer for bail.

5. Considering the above submissions and mainly petitioner's custody period, his fair and clean antecedent and the completion of investigation against him, in my opinion it is a fit case for bail to the petitioner. 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 Pandaul P.S. Case No. 121 of 2021.

(Shailendra Singh, J)

maynaz/-

U		T	
---	--	---	--

