

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10401 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- BARHARA District- Bhojpur

JATA MAHATO SON OF BASGIT MAHTO R/O KUTUBPUR DIYARA,
P.S.- DORIGANJ, DISTRICT- SARAN (CHHAPRA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner prayed for regular bail in connection with Barhara P.S. Case no. 08 of 2023 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 180 liters country made mahua liquor which was recovered from three motorcycles. After that this case has been lodged.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner was just passerby and merely on the basis of suspicion he has falsely been



implicated in this present case. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery nor vehicles in question belongs to him. It is further submitted that nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 06.01.2023.

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

The petitioner is directed to deposit a sum of Rs 5,000/- (Five Thousand) in the District Legal Services Authority of concerned District.

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 Barhara P.S. Case No. 08 of 2023 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 Court-Ist, Bhojpur Ara.

The bail bonds of the petitioner shall be accepted



by the learned court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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