

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10314 of 2023

Arising Out of PS. Case No.-42 Year-2022 Thana- HASANPUR District- Samastipur

=====

GOPAL MAHTO @ GOPAL KUMAR Son of Ram Bhajan Mahto Resident
of village - Goha, P.S.- Hasanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sarbottam Kumar Sarkar

For the Opposite Party/s : Mr.Asha Kumari

=====

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.

It is a case of recovery of total 128.250 liters
Indian made foreign liquor from a motorcycle and a Scorpio
after that this case has been lodged.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. Vehicles in question do
not belong to the petitioner. Neither he has been
apprehended on the spot nor any incriminating article has



been recovered from his conscious possession. It is further submitted that illegal articles were recovered from back side of his house. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 13.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hasanpur P.S. Case No. 42 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge Ist, Samastipur.

(Sunil Kumar Panwar, J)

Manish/-

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

