

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13763 of 2023

Arising Out of PS. Case No.-36 Year-2022 Thana- ROSERA District- Samastipur

Niraj Kumar @ Niraj Mahto S/O Dinesh Mahto R/V- Bataha, P.S.- Rosera,
District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 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 sections 272, 273, of the IPC and Section 30(a) Bihar Excise Prohibition Amnendment Act.

The prosecution case relates to recovery of total 70 liters country made liquor which was recovered from the rare side room of the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery nor any incriminating



article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 21.11.2022.

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 custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rosera P.S. Case No. 36 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 Judge Excise-I, Samastipur.

(Sunil Kumar Panwar, J)

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