

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13891 of 2023

Arising Out of PS. Case No.-299 Year-2017 Thana- LAKHISARAI District- Lakhisarai

MADAN PRASAD MAHTO @ MADAN PRASAD MEHTA, aged about 45 years, Male, Son of Late Sona Mahto R/V- Padma, P.S.- Padma (O.P.), District- Hazaribagh (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 05-05-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Lakhisarai (Kabaiya) P.S. Case No. 299 of 2017 dated 02.08.2017 registered for the offence(s) punishable under Section(s) 272 and 273 of the Indian Penal Code and Sections 30(a)/32(e)/38(a) of the Bihar Prohibition and Excise Act.
3. The main submissions advanced by the learned counsel for the petitioner are that the instant matter relates to the recovery of 1390 litres of country made wine which is stated to have been recovered from a pick up van and petitioner is admittedly owner of the said vehicle but he had no knowledge of transporting of the alleged liquor by his vehicle and the



alleged wrong was committed by his driver without giving any information to the petitioner and he was not involved with his driver in the alleged occurrence. Further submissions are that petitioner has fair and clean antecedent and against him, investigation has been completed and he has been languishing in jail since 18.01.2023 and he is handicapped from one of his hands.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent, his custody period and the completion of investigation against him, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with Lakhisarai (Kabaiya) P.S. Case No. 299 of 2017 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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