

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16163 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- CHANPATIA District- West Champaran

DAROGA MAHTO @ DAROGA MAHATO Son of- Late Bal Kanhai Mahto
Village- Garabhuwa Lala Tola PS- Sirisiya O.P., Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Chanpatiya (Sirisiya O.P.) P.S. Case No. 32 of 2023, dated
17.01.2023 registered for the offences punishable under
Sections 272 and 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition & Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of 3
litres of *country-made liquor* and the same has been shown as
being recovered from a bag in petitioner's possession, in fact the
said recovery was planted by the police and petitioner has been
languishing in jail since 18.01.2023. Further submission is that
though against the petitioner there are criminal antecedents of



three cases but all the said cases belong to the year 2019 in which he is on bail.

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

5. Considering the above submissions and mainly the custody period of the petitioner, completion of investigation against him and the quantity of the alleged recovered liquor, 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 Chanpatiya (Sirisiya O.P.) P.S. Case No. 32 of 2023.

(Shailendra Singh, J.)

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