

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18304 of 2023

Arising Out of PS. Case No.-129 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Rajesh Mahto Son Of Chandeshwar Mahto Resident Of Village - Mahamda,
P.S.- Pusa, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2023 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

Bihar Prohibition Excise Act, 2016.

It is a case of recovery of total 86.460 liters

foreign liquor from the rented hut of this petitioner 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 due to village politics.

Petitioner has no concern with the alleged recovery nor



from the place of occurrence. He has not been arrested on the spot and not a single witness supported the prosecution version. It is further submitted that the seizure list has not been prepared as per Section 100 of Cr.P.C.. Moreover, petitioner languishing in judicial custody since 07.02.2023.

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 Excise P.S. Case No. 129 of 2020 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 Court No-2, Samastipur.

(Sunil Kumar Panwar, J)

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