

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17214 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- BALTHAR District- West Champaran

SHAMBHU MAHTO Son of Bhulan Mahto Resident of village - Gauripur,
P.S.- Balthar, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 126 litres of
illicit nepali liquor kept in sacks, which was being carried by
four accused persons, who were apprehended on spot. From
petitioner's sack total 31.5 litres liquor has been recovered.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. No incriminating
article has been recovered from his conscious possession.
Petitioner has no criminal antecedent and he is languishing in



judicial custody since 6.12.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Bettiah, West Champaran in connection with Balthar P.S. Case No. 149 of 2022.

(Sunil Kumar Panwar, J)

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