

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26737 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- SIDHWALIYA District- Gopalganj

Mantu Mahto @ Chanchu Kumar, S/O Chhathu Mahto R/O Village- Bucheya
Mathiyan, Ward No. 09, P.S- Sidhwalia, Distt.- Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
30(a) and 41(i) of the Excise Act, 2022.

The learned counsel for the petitioner submits that the
petitioner has antecedent of seven cases and the allegation is of
recovery of 34.380 litres of liquor found at the door of
Sudarshan Rai concealed under straw.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that he came to be implicated at the instance of villagers, but
then, the F.I.R. does not disclose the name of the villager, who



disclosed the name of the petitioner. It is next submitted that even the alleged recovery is from a place which does not belong too the petitioner.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-II-cum-Special Excise Court-1, Gopalganj in connection with Sidhwaliya P. S. Case No.50 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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