

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29790 of 2023

Arising Out of PS. Case No.-160 Year-2022 Thana- MAINATAND District- West Champaran

Vinay Mahto @ Vinai Mahto Son of Bhola Mahto Resident of Village Hajma
Tola P.S. - Mainatand, Distt -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Mainatand P.S. Case No. 160 of 2022 dated 17.12.2022
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

3. The main submissions advanced by learned
counsel for the petitioner are that the instant matter relates to the
recovery of 36 litres of *country made nepali liquor* and the same
is stated to have been recovered from the petitioner's house but
in actual, the said recovery was not made from the petitioner's
house and the said house is in joint possession of his family
members. Further submissions are that against the petitioner,
there are criminal antecedents of five cases in which he is on



bail and in the present matter, the petitioner has been languishing in jail since 18.12.2022 and against him, the investigation has been completed.

4. Per Contra, the learned APP for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

6. Accordingly, let the petitioner named-above be enlarged on bail, **after framing of charge**, 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 in connection with Mainatand P.S. Case No. 160 of 2022.

(Shailendra Singh, J)

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