

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30936 of 2023

Arising Out of PS. Case No.-271 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Shibu Mahato Son Of Munshi Mahato@ Shashi Mahato Resident Of Village-
1718 Indava Nagar Hume Pipe, Po- Shakchi, Ps- Mango, Jamshedpur, Distt-
Purbi, Singhbhum, Jharkhand

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 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 Section 120B
of the I.P.C. and Sections 30(a), 32(2) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 1604.475 litre of liquor from a truck and
Devendra Singh was arrested.

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 petitioner is the owner of the truck and he came to be



implicated in the confessional statement of Devendra Singh in police custody, which does not have any evidentiary value. It is next submitted that petitioner is owner of a godown and no liquor was found from the godown. It is also submitted that no businessman would bring disrepute to his business by indulging in such illegal activity, when admittedly petitioner is a person with clean antecedent.

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. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Act, Court No.1, Begusarai in connection with Begusarai Town P. S. Case No.271 of 2022, 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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