

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31300 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- BIBHUTIPUR District- Samastipur

SUNIL KUMAR MAHTO @ SUNIL MAHTO s/o of Late Basdev Mahto
Resident of Village- Singhia Bujurg Uttar, Ward No. 8, Police Station-
Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Bibhutipur P.S. Case No. 19

of 2023 dated 15.01.2023 registered for the offences punishable

under Section 272 and 273 of the Indian Penal Code and u/s

30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 1710.105 litres of

foreign liquor and a mobile phone were recovered from the

house of the co-accused Vikash Kumar and 18.180 litres foreign



liquor was recovered from the house of the co-accused Sanjeev Kumar. They also disclosed that the recovered liquor belonged to the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 17.03.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Bibhutipur P.S. Case No. 19 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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