

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32204 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- LAKHNAUR District- Madhubani

BIMLESH KUMAR MAHTO, Son of Late Rajendra Mahto, Resident of Village - Jorla,
P.O.- Bela, P.S.- Lakhnaur, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Ojha, Advocate
For the Opposite Party/s : Mr.Dashrath Mehta, 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 Lakhnaur P.S. Case No. 49 of 2023 dated 06.03.2023 registered for the offences punishable u/ss 272, 273 read with Section 34 of the Indian Penal Code and u/ss 30(a) and 47 of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 275.25 litres of illicit foreign liquor of different brands was recovered from a white colour Bolero car. One person was apprehended from the place of occurrence and he disclosed his name as Bimlesh Kumar Mahto (petitioner).



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 07.03.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of 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, Jhanjharpur in connection with Lakhnaur P.S. Case No. 49 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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