

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 32876 of 2023**

Arising Out of PS. Case No.-55 Year-2022 Thana- LAHERIYASARAI District- Darbhanga

MANOJ MAHTO Son of Mahesh Mahto Resident of Rudalganj, PS- Laheria
Sarai (Benta OP), District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Pankaj Kumar Das, Advocate

For the Opposite Party/s : Mr Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-05-2023 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 Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Laheriasarai (Benta OP) Police Station (for brevity, **PS**) Case No 55 of 2022 dated 05.02.2022 registered for the offence punishable under Sections 341, 323, 504, 506 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 294 liters of illicit liquor was recovered from the graveyard.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has five other criminal cases, as stated in paragraph 3 of the bail petition. He is in custody in this case since 01.09.2022. Learned counsel has further submitted that the name of petitioner has transpired in the statement of local residents.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise II, Darbhanga in Laheria Sarai (Benta OP) PS Case No 55 of 2022 dated 05.02.2022.

This application stands allowed.

(Chandra Prakash Singh, J)

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