

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34298 of 2023

Arising Out of PS. Case No.-99 Year-2023 Thana- BIBHUTIPUR District- Samastipur

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RAM PRAKASH MAHTO @ PRAGAS MAHTO S/O LATE LAXMAN
MAHTO R/O Village-Patpara Uttar, P.S.-Bibhutipur District-Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Praveen
For the Opposite Party/s : Mr.Ajay Kumar Jha

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

ORAL ORDER

2 25-05-2023 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. 99
of 2023 (Excise G.R. No. 187/2023) dated 17.03.2023
registered for the offences punishable under Sections 272, 273,
420, 467, 468 and 471 read with 34 of the IPC and under
Sections 30(a), 32 and 41(1) of the Bihar Prohibition and Excise
Act.

As per the prosecution case, total 3501.690 litres of
foreign liquor was recovered from a truck, a tempo and Bolero.



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 name of the petitioner has transpired on the confessional statement of the co-accused Raja Kumar. The petitioner is accused in three other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 22.03.2023.

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. 99 of 2023 (Excise G.R. No. 187/2023).

The application stands allowed.

(Chandra Prakash Singh, J)

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