

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34379 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- BENIPATTI District- Madhubani

Pappu Kumar Mahto @PAPPU Kumar Mahton, Son of Ganga Mahto,
Resident of Village- Barma, PS- Choraut, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

**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 Benipatti P.S. Case No. 54 of 2023 dated 13.03.2023 registered for the offences punishable u/ss 272, 273, 279, 337 and 427 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 1035 litres of illicit Nepali foreign liquor is said to have been recovered from a pick-up-van. On seeing the police, the driver of the said vehicle started to flee away but he was apprehended who disclosed his name as



Anish Kumar.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the name of the petitioner has transpired in this case merely on suspicion. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.03.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is the owner of the said vehicle.

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, Madhubani in connection with Benipatti P.S. Case No. 54 of 2023 (G.R. No. 413/2023).

The application stands allowed.

(Chandra Prakash Singh, J)

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