

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34360 of 2023

Arising Out of PS. Case No.-162 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

-
1. BISHO MAHTO Son of Late Sukhdeo Mahto Resident of village - Shishodih, P.S. - Sadar (Mabbi O.P.), Distt. - Darbhanga
 2. Ravi Mahto Son of Bisho Mahto Resident of village - Shishodih, P.S. - Sadar (Mabbi O.P.), Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioners 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 petitioners and learned APP for the State.

The petitioners have preferred this application for grant of regular bail in connection with Sadar (Mabbi O.P.) P.S. Case No. 162 of 2023 dated 04.03.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 78.975 litres of illicit liquor was recovered from the thatched house of the co-accused Shambhu Choupal. On being asked, the said illicit liquor is of the



petitioner Bisho Mahto and his son Ravi Mahto.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The name of the petitioners has surfaced in this case only on the confessional statement of the co-accused Shambhu Chaupal. He has further submitted that the petitioners have no concern with the alleged recovery. The petitioners have got clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 14.03.2023.

Learned A.P.P. for the State has opposed the prayer of bail petition of the petitioners.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Sadar (Mobbi O.P.) P.S. Case No. 162 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

