

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35359 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- HATHIDAH District- Patna

Shambhu Mahto @ Sambhoo Mandal Son of Late Sachita Mandal Resident
of Village- Hathidah Dargahi Tola, PS- Hathidah, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 21-07-2023 1. Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise (Amendment) Act .
3. It is alleged that 125 liters of country made mahua liquor was recovered from Alto car.
4. It is submitted that the petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation in confessional statement of co-accused namely Kundan Kumar and Ramesh Kumar. Petitioner is neither owner nor driver of the vehicle in question. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way



connected with the aforesaid recovery. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition.

6. Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Learned Special Excise Judge, Barh, District- Patna in connection with Hathidah Police Station Case No 13 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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