

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43985 of 2023**

Arising Out of PS. Case No.-32 Year-2022 Thana- BAUNSI District- Banka

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Abhinaw Kumar Mahto S/O Late Vidya Nand Mahto R/O Village- Bhatin, Ps.
Hansdiha (GANGWARA Arazi), Dist. Dumka (JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

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

ORAL ORDER

2 25-07-2023 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.

2. Heard learned counsel for the petitioner and learned

A.P.P for the State.

3. The petitioner has preferred this application for

grant of regular bail in connection with Bounsi P.S. Case No. 32

of 2022 dated 13.02.2022 registered for the offences punishable

u/ss 30(a) and 32(2) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, 168.405 litres of illicit

foreign liquor was recovered from a Maruti Suzuki car.

5. 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 possession of the



petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner is not the owner of the said vehicle rather the owner of the said vehicle is one Rahul Ranjan Choudhary. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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, Banka in connection with Special Excise Case No. 160 of 2022 arising out of Bounsi P.S. Case No. 32 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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