

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53565 of 2023

Arising Out of PS. Case No.-373 Year-2022 Thana- OBRA District- Aurangabad

BANARSI MAHTO @ BANARSI MEHTA S/O BINDESHWAR PRASAD
MEHTA R/O Village- Khargpur, P.S- Hariharganj, Distt.- Palamu(Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Sinha

For the Opposite Party/s : Mr.Ahmad Ali

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

ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Obra P.S. Case No. 373 of 2022 dated 20.9.2022 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 440 litres of illicit spirit is alleged to have recovered from a Dezire Car.

4. 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 petitioner has no concern with the alleged recovery. The petitioner is not named in the FIR. The



name of the petitioner has transpired during the course of the investigation. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.6.2023.

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

6. 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, Aurangabad in connection with Obra P.S. Case No. 373 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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