

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 63844 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- AMNAUR District- Saran

=====

OM PRAKASH MAHTO S/O LATE MEGHU MAHTO R/O VILLAGE-
KHAS PATTI, PS. AMNOUR, DIST. SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 272 and 273 of the IPC and Sections 30 and 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 161.5 litres of country made liquor from the hut of the petitioner and he is indulged in packing of illegal wine with his business partner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He



has no concern with the alleged recovery. The name of the petitioner has been disclosed in this case by the local person before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 21.5.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ADJ II-cum-1st Exclusive Special Judge, Excise, Saran at Chapra in connection with Amnour P.S. Case No. 46 of 2023.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--



