

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70172 of 2023

Arising Out of PS. Case No.-319 Year-2023 Thana- NAUTAN District- West Champaran

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ARJUN KUMAR Son of Gauri Mahto @ Gauri Shankar Mahto Resident of
Village-Srinagar Dhanush Toli, P.S.-Nautan, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 414 of the IPC and
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
illicit wine from different vehicles.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no



concern either with the seized vehicle or with the wine in question. He submitted that at the time of raiding of vehicle, petitioner was crossing the road with his motorcycle in the meantime informant has stopped the petitioner and pressured him to become a witness but he denied their proposal, thereafter informant has falsely implicated the petitioner and his vehicle in this case. From the perusal of the impugned order, the alleged vehicles are said to be stolen property but one vehicle bearing Reg. No. BR22AX-9404 belongs to one Brij Kishore Mandal who is agnates of the petitioner and the same is not a stolen property. The provision of Section 100 of the Cr.P.C. has not been followed in this case. He is languishing in judicial custody since 31.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Exclusive Special Judge, Excise,



Bettiah at West Champaran in connection with Nautan P.S.
Case No. 319 of 2023.

(Sunil Kumar Panwar, J)

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