

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69673 of 2023

Arising Out of PS. Case No.-585 Year-2022 Thana- Excise P.S. District- Darbhanga

RAJESH KUMAR MAHTO Son of Prabhu Mahto R/o mohalla - Moullaganj,
P.S. - Lahariasarai, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. According to the prosecution, there is recovery of total 63 liters of illicit liquor from a tempo of the petitioner. One co-accused is said to have been apprehended on spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is registered owner of the said tempo due to which he has falsely been implicated in this present case. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor. Neither he



was arrested on spot nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 5.9.2023.

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

6. 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 released on bail in connection with Excise P.S. Case No. 585 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge 1st Excise Act, Darbhanga.

(Sunil Kumar Panwar, J)

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