

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70817 of 2023

Arising Out of PS. Case No.-142 Year-2022 Thana- BIRAUL District- Darbhanga

MANTUN MAHTO SON OF BALESHWAR MAHTO RESIDENT OF
VILLAGE- PARSARMA, PS- BIRAUL, DIST- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Prakash

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 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 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
11 liters of illegal country-made liquor from the house of the
other co-accused person.

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 with the wine in question and the place of occurrence
does not belongs to the petitioner. He submitted that one co-
accused namely, Somani Devi, who apprehended on spot and on



her confessional statement the name of the petitioner has come into light. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 02.08.2023.

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 Court of Exclusive Special Judge-II (Excise Act), Darbhanga in connection with Biraul P.S. Case No. 142 of 2022.

(Sunil Kumar Panwar, J)

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