

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72509 of 2023

Arising Out of PS. Case No.-169 Year-2021 Thana- Excise P.S. District- Samastipur

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BHOLA MAHTO S/O LATE SRICHANDRA MAHTO R/O VILLAGE-
PURNAHI, WARD NO.-1, P.S- WARISNAGAR, DISTT.- SAMASTIPUR,
BIHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vivek

For the Opposite Party/s : Mr.Binod Kumar

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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
189 liters of illegal liquor from the hut of the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
He submitted that the petitioner has no concern with the seized
liquor and the place of recovery was an open place. No
incriminating article has been recovered from the conscious



possession of the petitioner. He is languishing in judicial custody since 11.09.2023.

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 Special Judge Excise-02, Samastipur in connection with Excise P.S. Case No. 169 of 2021.

(Sunil Kumar Panwar, J)

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