

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70213 of 2023

Arising Out of PS. Case No.-319 Year-2023 Thana- GOVINDGANJ District- East
Champaran

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Bablu Mahto @ Babloo Mahto S/O Ram Bachchan Mahto @ Bachchan
Mahto R/O Village-Belwa Madho, P.S.-KOTWA, District-East Champaran At
Motihari

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kuar

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-12-2023 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 section 414
of Indian Penal Code and Sections 30(a), 41(i) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to total recovery of
249.600 litres of IMFL from different vehicles. It is
alleged that 88.200 litres of IMFL was recovered from
the bolero vehicle which was drove by the petitioner.

It is submitted by learned counsel for the



petitioner that petitioner has falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 01.06.2023.

In contra, learned A.P.P. appearing for the State vehemently opposed the prayer of bail and submitted that huge quantity of liquor has been recovered from the vehicle which was drove by the petitioner.

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 Exclusive Special Excise Court No. 1, East Champaran, Motihari in connection



with Govindganj (Malahi) P.S. Case No. 319 of 2023.

The petitioner is directed to deposit a sum of
Rs. 5,000/-(Rupees Five Thousands) in the concerned
District Legal Services Authority.

The bail bond of the petitioner shall be
accepted by the learned Court below on showing receipt
of deposit of Rs. 5,000/-(Rupees Five Thousands) in
District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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