

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74038 of 2023**

Arising Out of PS. Case No.-177 Year-2023 Thana- KALUAHI District- Madhubani

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1. Govind Mahto Son Of Bhagirath Mahto R/O Village - Dhoi, P.S. Darbhanga Sadar, District- Darbhanga
  2. Shrawan Sahni Son Of Raj Narayan Mahto @ Raj Narayan Sahni R/O Village - Dhoi, P.S. Darbhanga Sadar, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar  
For the Opposite Party/s : Mr. Jagdhar Prasad

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      29-11-2023                      Heard the learned counsel for the petitioners and  
  
learned APP for the State.

2. The petitioners seek bail in connection with  
  
Kaluahi P.S. Case No. 177 of 2023 registered for the offence  
  
under Sections 272, 273/34 of the I.P.C. and Section 30(a) of the  
  
Bihar Excise Prohibition Amendment Act, 2022.

3. As per the prosecution case, approx 991 liters of  
  
illicit liquor has been recovered from the vehicle in question.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have falsely been implicated in this case. Petitioner no. 2 has no criminal antecedent whereas petitioner no. 1 has one criminal antecedent. Petitioners are in custody since 27.08.2023. He further submits that petitioners are ready to donate Rs.15,000/- (Rupees Fifteen Thousand Only) each in some charitable organization without accepting the allegation.

5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case, this application for regular bail is allowed.

7. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani/concerned court below in connection with Kaluhi/Kaluahi P.S. Case No. 177 of 2023 subject to condition that:-

7(i) The petitioners shall deposit an amount of Rs.15,000/- (Rupees Fifteen Thousand Only) in Ramkrishna Mission Ashrama, Muzaffarpur and produce the receipt of the same before the Court below. The bail bonds of the petitioners



shall be accepted after verifying the genuineness of the receipt  
produced by the petitioners.

**(Sandeep Kumar, J)**

Shishir/-

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