

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70419 of 2023

Arising Out of PS. Case No.-99 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Om Prakash Mahto S/O Kari Mahto Village- Madhutol, Ward No. 10, Ps.
Khanpur, Dist. Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 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 Sections 272, 273, 420, 467, 468, 471/34 of the IPC and Sections 30(a), 32, 41(1) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 3501.690 liters of illegal foreign liquor from different vehicles.

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. The name of the petitioner has come into light on the basis of confessional statement of apprehended accused persons, which has got no evidentiary value in the eyes of law. He submitted



that the petitioner has no concern either with the seized vehicles or with the wine in question. Charge-sheet has already been submitted against the petitioner. He is languishing in judicial custody since 12.07.2023.

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-I, Samastipur in connection with Bibhutipur P.S. Case No. 99 of 2023.

(Sunil Kumar Panwar, J)

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