

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70028 of 2022

Arising Out of PS. Case No.-277 Year-2022 Thana- DALSINGHSARAI District- Samastipur

BINOD MAHTO @ VINOD MAHTO Son of Anandi Mahto R/v-
Bahadurpur Armauli, P.S.- Dalsinghsarai (Ghataho O.P.), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-01-2023 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 sections 30(a), 41(i), (ii) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 230 litres of
country made illicit liquor from the road side bush at the
outskirt of village and local people disclosed the name of the
petitioner apart from other seven accused persons, who were
engaged in trade of illicit liquor.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. He has no concern
with the alleged recovery or with the place of occurrence. The



name of the petitioner has been disclosed in this case by the local villagers before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 21.09.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

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 Additional District and Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with Dalsinghsarai (Ghatho) P.S. Case No. 277 of 2022.

(Sunil Kumar Panwar, J)

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