

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71874 of 2023**

Arising Out of PS. Case No.-421 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

Babloo @ Chhotu Mahto @ Bablu Kumar Mahto S/O Ram Prasad Mahto
R/O Village- Mirjapur, Ward No.-21, P.S- Kotwali, Distt.- Darbhanga.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**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 bail in a case registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 36 litres of country made liquor from a Scooty bearing Reg. No. BR-07AG-3195.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery. The scooty from which illicit liquor has been



seized, belongs to mother of the petitioner. No any incriminating article has been recovered from conscious possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 05.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

6. 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 Judge II (Excise Act), Darbhanga in connection with Leharisara P.S. Case No. 421 of 2023.

(Sunil Kumar Panwar, J)

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