

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73242 of 2022

Arising Out of PS. Case No.-441 Year-2022 Thana- RIGA District- Sitamarhi

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DILIP MAHTO @ DILIP KUMAR S/O RAM LAL MAHATO Resident of
Village- Sangram Fandah, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 414 IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 315 litres of nepali liquor from the cow-shed (*bathan*) of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics. Petitioner was not apprehended on spot. His name has been surfaced in the present case on the basis of confessional statement of apprehended co-accused, namely, Vikram Kumar and Rajesh Kumar before the police, which has



no evidentiary value in the eye of law. He is languishing in judicial custody since 09.10.2022.

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 Special Judge Exclusive Special Excise Court No. 1, Sitamarhi in connection with Riga P.S. Case No. 441 of 2022.

(Sunil Kumar Panwar, J)

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