

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75110 of 2022

Arising Out of PS. Case No.-522 Year-2022 Thana- DARIYAPUR District- Saran

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Dharmendra Mahto Son Of Junrvi Mahto R/O Village- Tarwa Mangarpal,
P.S.- Dariyapur, District- Saran

... .. Petitioner/S

Versus

The State Of Bihar
Party/s

... .. Opposite

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Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 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) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 160 litres of
country made liquor from *Chawar* at the side of road.

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 or with the
place of occurrence. It is further submitted that no examination
with regard to the recovered article have been got conducted to
come to conclusion as to whether the recovered article is
country made liquor and in absence whereof the recovery of
country made liquor cannot be proved. Moreover, the petitioner



is languishing in judicial custody since 18.09.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 & Sessions Judge 2nd-cum-First Exclusive Special Court, Excise, Saran, Chapra in connection with Dariyapur P.S. Case No. 522 of 2022.

(Sunil Kumar Panwar, J)

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