

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80597 of 2023

Arising Out of PS. Case No.-201 Year-2023 Thana- MANJHI District- Saran

Om Prakash Mahto Son Of Kari Mahto Resident Of Village- Madhutol, Ward
No 10, Ps -KHANPUR, Distt- Samstipur

... .. 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.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2023 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 272,
273, 420 of Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 1174.88
litres of IMFL from a Truck bearing Reg. No. HR-39D-
8925. Driver of the aforesaid Truck was apprehended on
spot.

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 vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused 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. Moreover, petitioner is remanded in this case from Bibhutipur P.S. case No. 99 of 2023 on 11.08.2023 and since then he is languishing in judicial custody.

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 Exclusive Special Excise
Judge II, Saran, Chapra in connection with Manjhi P.S.
Case No. 201 of 2023.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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