

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.194 of 2023

Arising Out of PS. Case No.-270 Year-2022 Thana- DARBHANGA District- Darbhanga

RAKESH MAHTO @ KHATKHATIYA Son of Lt. Kailash Mahto R/V-
Mishartola, Ward no. 26, P.S- Town Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-03-2023 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 30(a) of the Bihar Prohibition and Excise Act.

As per FIR, after getting secret information, the informant along with police personnel raided the house of the the petitioner and arrested him. Upon search, total 75 liters illicit country made liquor was seized from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit



country made liquor. It is further submitted that no any incriminating article has been recovered from his conscious possession rather the place of recovery is joint family house. The petitioner is languishing in judicial custody since more than 6 months.

Learned APP appearing for the State has vehemently 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 released on bail in connection with Town P.S. Case No. 270 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge-I, Excise Act, Darbhanga.

(Sunil Kumar Panwar, J)

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