

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10664 of 2024

Arising Out of PS. Case No.-110 Year-2023 Thana- Excise P.S. District- Madhubani

Ramesh Kumar Mahto S/O Suraj Mahto R/O Village- Mukhiyapatti, P.S.-
Saharghat, Dist. Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Rajesh Kumar
For the Opposite Party/s	:	Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise P.S. Case No.
110 of 2023, instituted for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 180 liters
liquor was recovered from motorcycle and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. The
petitioner has got no concern with the alleged recovery of
liquor. No incriminating article has been recovered from the



possession of the petitioner. The petitioner is neither owner nor rider of the seized motorcycle. The petitioner was gone near the place of occurrence and merely on suspicion he has been apprehended. The petitioner is in custody since 11.11.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 110 of 2023.

(Rudra Prakash Mishra, J)

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