

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16838 of 2024

Arising Out of PS. Case No.-602 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

Dhaneshwar Mahto Son of Ganesh Mahto Resident of Bhuli chak, Maulaganj,
P.S.- Laheriasarai, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Padmanabh Kashyap, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Laheriasarai P.S. Case No. 602 of 2023 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, petitioner was arrested on the spot and total 7.800 litres of Nepali liquor has been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no concern with the alleged recovery. No any incriminating article has been



recovered from his conscious possession. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. Petitioner is languishing in judicial custody since 24.12.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties as well as period of custody of the petitioner, this Court is inclined to enlarge the petitioner on bail, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-II (Excise Act), Darbhanga in connection with Laheriasarai P.S. Case No. 602 of 2023.

(Ramesh Chand Malviya, J)

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