

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17950 of 2024

Arising Out of PS. Case No.-495 Year-2023 Thana- GHORASAHAN District- East
Champaran

Lakhindra Mahto Son Of Late Harja Mahto R/O-Semri, P.S.-Lakhoura, Distt.-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Ghorasahan P.S. Case
No. 495 of 2023, instituted for the offences punishable under
Sections 30(a), 32 and 41(i) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 43.800 liters
liquor was recovered from house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. No incriminating
material has been recovered from the conscious possession of
the petitioner. The petitioner has got no concern with the alleged



recovery of liquor. It is further submitted that the recovery has been made from joint house of the petitioner. The petitioner is in custody since 30.12.2023 and has got one 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 Ghorasahan P.S. Case No. 495 of 2023.

(Rudra Prakash Mishra, J)

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