

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23046 of 2024

Arising Out of PS. Case No.-427 Year-2023 Thana- TARAIIYA District- Saran

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Arun Mahto @ Arun Prasad Son Of Praduman Mahto @ Praduman Prasad
R/O-Gawandri, P.S.-TARAIIYA, Distt.-SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ankur Prakash Sinha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

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

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Taraiya P.S. case No.
427 of 2023 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 125 liters
liquor out of which 15.4 liters liquor was recovered from a hut
situated in a field.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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 that the hut in question does not belong to the petitioner. The petitioner is in custody since 01.01.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Taraiya P.S. case No. 427 of 2023.

(Rudra Prakash Mishra, J)

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