

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38606 of 2024**

Arising Out of PS. Case No.-1098 Year-2024 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

Raju Kumar Mahto S/o Laxmeshwar Mahto @ Lakshmeshwar Mahto
Resident of Village-Basopatti, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Sah
For the Opposite Party/s : Mr.Nitya Nand Tiwary

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

ORAL ORDER

3 01-08-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
G.O. Case No.1098 of 2024 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 72 litre of
illicit liquor from possession of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that recovery of
alleged illicit liquor was not made from physical possession of
the petitioner and he has no concern with the alleged recovery
of illicit liquor. It is submitted that seizure list appears doubtful



being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is in custody since 19.04.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, in connection with G.O. Case No.1098 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani.

7. However, petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(Ramesh Chand Malviya, J)

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