

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49601 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- Excise P.S. District- Samastipur

Ram Nath Mahto @ Natho Mahto @ Nakho Mahto S/o Late Baleshwar
Mahto R/o vill - Kalyanpur Basti, ward no. 11, P.S. - Mohiuddin Nagar, Distt.
- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State

2. The petitioner apprehends his arrest in connection with Patori Excise P.S Case No. 61 of 2024 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 4.500 litre illicit liquor recovered.

4. Learned counsel for the petitioner submits that petitioner has been falsely been implicated in this case and nothing recovered from the conscious possession of the petitioner. It is next submitted that petitioner has got no criminal antecedent as stated in para 3 of the bail petition.



5. Learned counsel for the State opposes the prayer for bail of the petitioner.

6. From perusal of the F.I.R., impugned order and case diary, it appears that petitioner is not arrested on the spot. Illicit liquor has been recovered from the other accused person and nothing recovered from the conscious possession of the petitioner. Moreover, petitioner has got clean antecedent as stated in para 3 of the bail petition.

7. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner, let the above named petitioner be released on bail in the event of his arrest or surrender before the trial court within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, (Excise)-02, Samastipur in connection with Patori Excise P.S Case No. 61 of 2024 subject to the condition laid down under Section 438(2) of Cr.P.C.

(Ramesh Chand Malviya, J)

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