

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51389 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- MEHANDIGANJ District- Patna

Ashok Kumar @ Belura, aged about 54 years, Male, Son of Late Basudev Mahto Resident of village - Murtujiganj, P.S.- Mehdiganj, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Binay Kumar Singh, Advocate
For the Opposite Party : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-07-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mehndiganj P.S. Case No. 65 of 2024 dated 15.05.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 10 litres of illicit country made liquor kept in jute sack was recovered near the *Jalla*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made



from an open place that is accessible to anyone. The petitioner has no concern with the alleged recovery. The petitioner has six criminal antecedents in which he is on bail in all cases as stated in para 3 of the bail petition. The petitioner is in custody since 14.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna city, Patna in connection with Mehndiganj P.S. Case No. 65 of 2024 with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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