

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53540 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- DIGHWARA District- Saran

Jagarnath Mahto @ Magni Mahto @ Jagrnath Mahto Son Of Late Binda
Mahto Resident Of Village - Manupur, P.S. - Dighwara, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Sinha, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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

ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Dighwara PS Case No. 154 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 137.52 litres
of country made liquor and English wine were recovered from
behind the house of co-accused, Munna Mahto.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge sheet has already 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 submitted that recovery is from an open place, which is accessible to one and all. The petitioner is in custody since 19-05-2024 and has got one 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, charge sheet being submitted 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 Dighwara PS Case No. 154 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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