

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54757 of 2024

Arising Out of PS. Case No.-507 Year-2024 Thana- SASARAM NAGAR District- Rohtas

Ramesh Mahto @ Ramesh Kumar Son Of Late Patel Mahto Resident of
Village- Kotaghat, PS- Darigaon, Dist- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Sasaram Town (Darigaon O.P.) P.S. Case No. 507 of 2024, registered on 14.06.2024 for the offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received information about petitioner storing and selling illicit liquor in bushes near a river. A raid was conducted and one person fled away from the spot who was identified by the local Chaukidar as the petitioner. From the search of the place, 100 litres of country made Chulai liquor was recovered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. The petitioner has been named by the local Chaukidar due to previous enmity. The recovery has been made from the bank of river and it is open place accessible to all. Petitioner is accused in one another case registered under Sections 341, 323, 504/34 of the IPC in which he is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering the possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2 -cum- Additional District & Sessions Judge, Rohtas at Sasaram/concerned court in



connection with Sasaram Town (Darigaon O.P.) P.S. Case No. 507 of 2024, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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