

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53908 of 2024

Arising Out of PS. Case No.-120 Year-2024 Thana- AKHODHIGOLA District- Rohtas

1. Sujit Kumar Mahto Son of Vijay Singh Resident of Village - Padariya, Police Station - Amjhore, District - Rohtas
2. Om Prakash Mahto Son of Late Shankar Mahto Resident of Village - Lalki Ahari, Police Station - Akorhigola, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-07-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Akorhigola P.S. Case No. 120 of 2024 dated 16.05.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 108 litres of illicit beer was recovered from the *Xylo Car* and 156 litres of illicit beer and 17.280 litres of illicit foreign liquor were recovered from the house of the Petitioner No. 2 *Om Prakash Mahto*.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. The petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 17.05.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioners and the period of custody, the petitioners 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, Sasaram, in connection with Akorhigola P.S. Case No. 120 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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