

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65289 of 2024

Arising Out of PS. Case No.-694 Year-2024 Thana- Excise P.S. District- West Champaran

Nagendra @ Nagendra Mahto S/o Late Jagarnath Mahto R/o vill - Dhangad
Toli, ward no. 5, P.S. - Ram Nagar, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Adv

For the Opposite Party/s : Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-09-2024 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 Bagaha Excise P.S. Case No. 694 of 2024 dated 30.07.2024 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 6 litres of illicit country made liquor was recovered *from the gallon in possession of the petitioner.*

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner has six antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 30.07.2024.

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 nature of allegation levelled against the petitioner and 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, West Champaran in connection with Bagaha Excise P.S. Case No. 694 of 2024.

(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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