

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74678 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Shambhu Mahto @ Shanbu Mahto S/o Late Ramji Mahto R/o vill - Pateliya,
P.S. - Bibhutipur, Distt. - samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mirityunjay Kumar

For the Opposite Party/s : Mr.Uday Chand Prasad

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

ORAL ORDER

2 18-10-2024 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 Bibhutipur P.S. Case No. 73/2024 dated 10.03.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 28.500 litres of illicit foreign liquor was recovered from the hut of the petitioner.

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. The petitioner has no concern with



the alleged recovery. The other co-accused person has already been granted bail by this court *vide* order dated 13.09.2024 passed in Cr. Misc. No. 46291/2024. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.08.2024.

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, Samastipur in connection with Bibhutipur P.S. Case No. 73/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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