

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83180 of 2023

Arising Out of PS. Case No.-143 Year-2023 Thana- BASOPATTI District- Madhubani

Pappu Mahto Son Of Suraj Mahto @ Ram Surat Mahto Resident Of Village-
Manmohan, Ps- Basopatti, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per persecution case, 244.7 liters of illicit liquor and three motorcycles were recovered from the spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no concern with the alleged recovery of liquor or with the vehicles in question. The name of the petitioner has been disclosed in this case by the co-accused Dharmveer Yadav in his confession statement before the police which has got no



evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The co-accused Dharmveer Yadav on whose statement petitioner has been implicated in this case, has already been enlarged on bail by another coordinate Bench of this Court vide order dated 21.08.2023 passed in Cr. Misc. No.52893 of 2023. Petitioner is languishing in judicial custody since 29.09.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Basopatti P.S. Case No. 143 of 2023.

(Sunil Kumar Panwar, J)

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