

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78940 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- Pachpakdi District- East Champaran

Rajesh Kumar Mahto @ Rajesh Mahto S/o- Chandeshwar Mahto @
Chandeshwar Mahato Village- Hira Patti, Ps- Pachpakari Dist-East
Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari

For the Opposite Party/s : Mr.Asha Devi

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

ORAL ORDER

2 13-11-2024 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 Pachpakari (Dhaka) P.S. Case No. 15/2024 dated 17.08.2024 registered for the offences punishable u/s 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 84.300 litres of illicit Nepali country-made liquor kept in plastic bag was recovered from the south side of the road.

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 recovery is from an open place which is accessible to anyone. The other co-accused person has already been granted bail by this court *vide* order dated 01.10.2024 passed in Cr. Misc. No. 71457/2024. The petitioner has no concern with the alleged recovery. The petitioner has two antecedents and he is on bail in one criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 02.09.2024.

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, East Champaran, Motihari in connection with Pachpakari P.S. Case 15/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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