

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85574 of 2023

Arising Out of PS. Case No.-118 Year-2023 Thana- DARPA District- East Champaran

Rajesh Mahto Son of Rajman Mahto Resident of Village - Sukhlahiya, P.S.-
Darpa, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. Prosecution case relates to recovery of total 129.9 liters of illicit country made liquor from southern side of house of the co-accused Rajman Mahto.

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 present case. Petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. Neither the



petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 2.10.2023.

5. Learned APP appearing for the State has vehemently 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 released on bail in connection with Darpa P.S. Case No. 118 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.2, Motihari at East Champaran.

(Sunil Kumar Panwar, J)

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