

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3288 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- Excise P.S. District- Madhubani

MANISH MAHTO SON OF TRIBHUVAN MAHTO Resident of Village -
Khoriya, Police Station - Pupri, District - Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar Jha
For the Opposite Party/s	:	Mr.Suman Kumari Singh
For the State	:	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Benipatti Excise P.S. Case No. 116 of 2023 corresponding to
G.O. No. 3598 of 2023 registered for the offence under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, from a Wagon R
Car, a recovery of 243 liters of illicit liquor was made.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and he has falsely been implicated in
this case and nothing has been recovered from the conscious
possession of the petitioner.

5. It is also submitted by the learned counsel for
the petitioner that the petitioner has clean antecedent and he is
in jail since 15.11.2023.

6. It has further been submitted by the learned
counsel for the petitioner that the petitioner, without accepting



his guilt undertakes to deposit a sum of Rs. 25,000/- in Ramakrishna Mission Sevashram, Muzaffarpur.

7. Learned APP for the State vehemently opposed the prayer of the petitioner for grant of bail.

8. Considering the aforesaid aforesaid facts and the clean antecedent of the petitioner, this application is allowed.

9. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) 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 Benipatti Excise P.S. Case No. 116 of 2023 corresponding to G.O. No. 3598 of 2023.

10. The petitioner is directed to bring a receipt of payment of Rs. 25,000/- in the Ramakrishna Mission Sevashram, Muzaffarpur at the time of furnishing his bail bonds and the trial Court will accept the bail bonds of the petitioner only after verifying the genuineness of the same.

(Sandeep Kumar, J)

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