

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90042 of 2024

Arising Out of PS. Case No.-428 Year-2022 Thana- TAJPUR District- Samastipur

Hirdesh Mahto S/o- Rameshwar Mahto Resident of Mukhtiarpur P.S-
Dalsinghsari, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv

For the Opposite Party/s : Mr. Umanath Mishra, APP

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

ORAL ORDER

2 17-01-2025 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 Tajpur P.S. Case No. 428 of 2022 dated 06.09.2022 registered for the offences punishable u/s 30(a), 41 (1)(2) of Bihar Prohibition and Excise (Amendment) Act 2018.

3. As per the prosecution case, total 1307.40 litres of Indian made foreign liquor was recovered from a pickup van.

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 is not named in the



F.I.R. The name of the petitioner has sprung up in the course of investigation. The other co-accused person has already been granted bail by this court *vide* order dated 24.05.2023 passed in Cr. Misc. No. 33661/2023. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.12.2024.

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 Tajpur P.S. Case No 428 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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