

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25923 of 2016

Arising Out of PS.Case No. -36 Year- 2016 Thana -VIDYAPATINAGAR District- SAMASTIPUR

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Devendra Mahto Son of Late Laxmi Mahto Resident of Village-
Khedarpur,(Kabai), Police Station - Ghatho, District Samastipur,.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Zeyaul Hoda, Advocate.

For the Opposite Party : Mr. Sri Dilip Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 05-07-2016

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 272, 273 of the Indian Penal
Code, Sections 47(A) of Excise Act and 25 (1-b) A/26 of the Arms
Act.

Three bottles of 180 ml. each of Indian made foreign
liquor and one bottle of 400 ml. of country made liquor as well as
one country made pistol without cartridge are said to have been
recovered from the house of the petitioner on 01.04.2016.

Submission on behalf of the petitioner is that nothing
has been recovered from the conscious possession of the petitioner
and as a matter of fact, the new Excise Act came into force on

01.04.2016, and on the same day, the police raided the house of the petitioner and recovered the above stated material.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of the fact that the petitioner does not have any criminal antecedent, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri V.K. Singh, Judicial Magistrate 1st Class, Dalsingsarai in connection with Vidyapati Nagar (Ghatho) P.S. Case No. 36 of 2016.

(Hemant Kumar Srivastava, J.)

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