

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34099 of 2016

Arising Out of PS.Case No. -88 Year- 2016 Thana -SONBERSA District- SITAMARHI

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Birendra Mahto, son of Sant Mahto, Resident of Village- Madhiya, P.S.-
Sonbarsa, District- Sitamarhi.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Ch. Verma, Sr. Adv.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 17-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is accused in connection with Sonbarsa
P.S. Case No. 88 of 2016 registered under Sections 272, 273 of the
I.P.C. and 47(a) of the Excise Act.

The accusation is that in course of raid at the Brick
Kiln, belonging to Dinesh Mahto, Ram Pravesh Nirmal, Manager
of Brick Kiln was apprehended while other succeeded to flee
away. In course of raid, 8368 bottles each containing 200 ml.
country made liquor, 624 bottles of beer, each containing 650 ml.
and 214 bottles English Liquor, each containing 375 ml. and 1193
bottles of different company, each containing 180 ml., were
recovered. Ram Pravesh Nirmal, Manager of the Brick Kiln

disclosed that the seized liquor were kept by Dinesh Mahto, Brick Kiln Owner, Ajay Kumar and this petitioner and Dinesh Mahto warned him to not disclose anyone.

Submission is that petitioner is not apprehended on the spot where alleged seized bottles of liquor are said to be recovered rather the name of the petitioner has been disclosed by Ram Pravesh Nirmal, Manager of the Bricks Kiln. Further submission is that petitioner is accused in Sonbarsa P.S. Case No. 143 of 2014 registered under sections 420, 467, 468 and 471/34 of the I.P.C. but in that case, he is on bail and in the present case, petitioner is in custody since 24.06.2016.

Having considered the facts and circumstances of the case, let the above named petitioner 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 C.J.M., Sitamarhi in connection with Sonbarsa P.S. Case No. 88 of 2016. Out of two sureties, one surety must be parents or close relatives of the petitioner.

(Rajendra Kumar Mishra, J)

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