

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37393 of 2016**

Arising Out of PS.Case No. -128 Year- 2016 Thana -RAMNAGAR District-  
WESTCHAMPARAN(BETTIAH)

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1. Chhathu Mahto, Son of Late Garib Mahto, Resident of Village- Dhangar  
Toli, Ram Nagar, P.S- Ram Nagar, District- West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

2      08-09-2016                      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under  
  
Section-47 of the Excise Act.

Ten litres semi-prepared country-made liquor, kept in  
  
a Dabba, is said to have been recovered from house of the  
  
petitioner but according to prosecution case itself, he was not  
  
caught on the spot.

Submission on behalf of petitioner is that earlier one  
  
case of Excise Act had been lodged against the petitioner in the  
  
year, 2006 and when the new Excise Amendment Act came into  
  
force, the police roped the petitioner in a false case with an object

to show their performance in recovery of illegal liquor.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Ram Nagar P.S. Case No. 128 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Bagaha, District-West Champaran.

A.K.V./-

**(Hemant Kumar Srivastava, J)**

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