

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10967 of 2016

Arising out of PS.Case No. -88 Year- 2015 Thana -KALUAHI District- MADHUBANI

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Ram Kumar Mahto @ Ram Babu Mahto, Son of Tapeswar Mahto, resident
of Village- Chitahi, P.S.- Kaluahi, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party : Mr. Ram Sumiran Rai(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Kaluahi P.S. Case No. 88 of 2015 for the offences instituted
under Section 47(a) of the Excise Act.

The prosecution story, in brief, is that 05 bottles of beer
each containing 650 ml, 25 bottles of country made liquor each
containing 400 ml were recovered from the shop of the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. The petitioner has been
made accused in the present case due to mistake of fact. The
alleged recovery has been denied by the petitioner. It is further
submitted that the petitioner is ready to deposit an amount of Rs.

15,000/-in the court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 15,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Kaluahi P.S. Case No. 88/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)