

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41455 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

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Mantu Kumar Sahni @ Mantu Sahni S/o Late Gholat Sahani Resident of
Bihariganj, Godhiyari @ Goriyahi, P.S.- Bihariganj, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Bam Bahadur Jha, Advocate

For the Opposite Part : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-10-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.05.2016 in connection with Bihariganj P. S. Case No. 77 of 2016 for the alleged offences under Sections 47(A) and 53(A) of the Bihar Excise (Amendment) Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of six litres of 'mahua' liquor. The seizure list does not contain the signature of the petitioner. The seizure itself said to have been made on 15.05.2016 at 10.45 a.m. whereas the information with regard to the occurrence according to the FIR was received at 11.00 a.m. which is anomalous. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and

circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned J.M. Ist Class, Udakishunganj, District Madhepura in connection with Bihariganj P. S. Case No. 77 of 2016 on the following conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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