

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41678 of 2016

Arising Out of PS.Case No. -54 Year- 2016 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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1. Kishori Mahto son of Late Seth Mahto, resident of Village- Bhelwa, P.S.-
Chauradano, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 05-10-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 272, 273 and 34 of the I.P.C and section
47 A of the Bihar Excise Act, 2016.

Allegedly, the petitioner was apprehended and he
disclosed that Sunil Raut has hired him to carry the wine on Rs.
300/- and when he returned from Nepal with the foreign liquor he
was caught and from possession of the petitioner 102 bottles each
containing 300 ml. liquor was recovered.

Submission is of false implication and that there was
stamped, the petitioner has been made victim of the circumstances,

nothing has been recovered from conscious possession, he was caught by the police only on suspicion as he also tried to flee away, the bottles were thrown by the miscreants which have been shown recovered from possession of the petitioner resulting the petitioner is in custody since 01.06.2016.

In the facts and circumstances as stated above, the petitioner is directed to 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 S.D.J.M. Raxaul, Motihari, East Champaran in Chhauradano P.S. Case No. 54 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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