

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36637 of 2016

Arising Out of PS.Case No. -193 Year- 2016 Thana -ROSERA District- SAMASTIPUR

Vijay Mahto Son of Late Theethar Mahto Resident of Village- Baghopur,
P.S.- Rosera, Distt- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Rosera P.S. Case No. 193 of 2016 registered under Sections
47(a) of the Excise Act and sections 54 and 57 of the Bihar Excise
Amendment Act.

On receiving secret information about selling the
illicit liquor, the Police reached in village Bhagalpur. On seeing
the Police party, two persons started to flee away but one was
apprehended, who disclosed his name Ram Chandra Mahto and
the name of person succeeded to flee away to flee away as his
brother Vijoy Mahto. On search of the house of Ram Chandra
Mahto, 2960 of Indian made foreign liquor in 10 bottles kept in

plastic bag was recovered, whereas from the counter of hotel of petitioner Vijay Mahto, 10 bottles of Royal Stag, each containing 180 ml., were recovered.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case showing the recovery of 10 bottles of Indian made foreign liquor from the counter of the hotel, but the copy of seizure list was not handed over to person engaged in hotel. In fact, petitioner is an employee of the hotel and has been falsely implicated.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M., Rosera, Samastipur in connection with Rosera P.S. Case No. 193 of 2016 (G.R. No. 739 of 2016), subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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