

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36269 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -BHELDI District- SARAN

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1. Tarun Kumar Mahto s/o Chandrika Mahto resident of village -
Samastpura, P.O. - Bheldi, P.S. Bheldi, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakib Ayaz

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 23-08-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections-272 & 273 of the Indian Penal Code and under Sections-
47 & 49 of the Bihar Excise (Amendment) Act, 2016.

Petitioner is in custody since 05-06-2016 on the
accusation that 46 bottles of Indian made foreign liquor were
recovered from his conscious possession.

Submission on behalf of petitioner is that as a matter
of fact, nothing was recovered from conscious possession of the
petitioner and, moreover, even if prosecution story assumed to be
true, then also, mere possession of Indian made foreign liquor
does not constitute any offence. It is further submitted that the

investigation against the petitioner has already been completed.

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 Bheldi P.S. Case No. 84 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Saran, Chapra.

(Hemant Kumar Srivastava, J)

A.K.V./-

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