

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53593 of 2016**

Arising Out of PS.Case No. -30 Year- 2016 Thana -BIRUPUR SAHAYAK District- LAKHISARAI

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Dham Mahto son of Late Sahab Mahto Vill- Turkejam, P.S. Birupur,  
District- Lakhisarai.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Deepak Sahay Jamuar

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

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      22-12-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under  
Sections 47, 54 and 57 of the Bihar Excise (Amendment) Act.

Allegation against petitioner is that from his possession 3  
litres Mahua wine along with 4 kg. Mahua has been recovered.

It has been submitted on behalf of petitioner that he is in  
custody since 29.9.2016. Petitioner has got no criminal  
antecedent. No allegation of tampering of witnesses is alleged  
against petitioner. It is alleged that from possession of petitioner 3  
litres Mahua wine along with 4 kg. Mahua is said to have been  
recovered. No compliance of Section 100 of the Code of Criminal  
Procedure is made.

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

Considering the aforesaid facts and circumstances, let the  
above named petitioner be released on bail on furnishing bail bond  
of Rs. 10,000/- (Ten thousand only) with two sureties of the like  
amount each to the satisfaction of learned Addl. Chief Judicial



Magistrate-II, Lakhisarai, in connection with Birupur P.S. Case  
no. 30 of 2016.

**(Sudhir Singh, J)**

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