

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31135 of 2017

Arising Out of PS.Case No. -49 Year- 2016 Thana -JALALPUR District- SARAN

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Vijay Mahto, son of Late Badari Mahto, Resident of Village- Makanpura,
Police Station- Jalalpur, District- Saran (Chapra).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar Rai, Advocate.

For the Opposite Party : Mr. Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 08.05.2017
in connection with Jalalpur P.S. Case No. 49 of 2016 for the
offences instituted under Sections 272, 273 of the IPC and 47(a) of
the of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that on secret
information, the informant recovered 43.600 liters of country
made liquor from the Mango Orchard of the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 08.05.2017 and the charge sheet has
been submitted in the present case. There is no allegation of
tampering of the witnesses alleged against the petitioner. He has



falsely been implicated in the present case. As per prosecution case, 43.600 liters of country made liquor is said to have been recovered from Mango Orchard of Ramyad Mahto. There is no recovery from conscious possession of the petitioner. No compliance of Section 100 Cr. P.C. has been made in the present case.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned Additional District & Sessions Judge-VI, Saran at Chapra, in connection with Jalalpur P.S. Case No. 49/2016.

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(Sudhir Singh, J)

