

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58066 of 2017

Arising Out of PS.Case No. -83 Year- 2017 Thana -NATIONAL HIGHWAY District-
SAMASTIPUR

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Lal Babu Mahto, Son of Jogendra Mahto, resident of Village- Manpura,
P.S.- N.H. Bangra, District- Samastipur, Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kumar Singh, Mr. Tulika
Singh and Md. Kamaluddin, Advocates.

For the Opposite Party : Mr. N.N. Tiwari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
09.09.2017 in a case for the offence registered under Sections 272,
273, 414/34 of the IPC and 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that total 1663.560
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. Charge sheet has been submitted in the present case.
There is no allegation of tampering with the witnesses alleged



against the petitioner. It is alleged that total 1663.560 liters wine is recovered from the different cars in question. The petitioner was a driver of one of the cars in question. The petitioner has got no concern with the seized cars and wine. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is 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 bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District and Sessions Judge-cum-Special Judge, Bihar Excise Act, Samastipur, in connection with N.H. Bangara P.S. Case No. 83 of 2017.

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(Sudhir Singh, J)

