

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5700 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Shiv Mahto, Son of Late Veerbahadur Mahto, Resident of Village-Lal Saraiya, Dhangartoli (Bakhariya), Police Station-Majhauriya, District-West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 22-03-2017 Heard learned counsels for the petitioner and the State.

The petitioner apprehends his arrest in connection with Majhauriya P. S. Case No. 149 of 2016 instituted under Sections 147, 148, 149, 323, 324, 307, 353 and 504 of the Indian Penal Code and under Section 61 of the Bihar Prohibition and Excise Act, 2016.

The allegation, in brief, is that 30 litres of illicit liquor were recovered by the Excise Officials from the house of the petitioner and during the course of search and seizure, some local villagers assembled there and made attempt to get free the arrested persons.

Learned counsel for the petitioner submits that



allegation of recovery of illicit liquor is false and fabricated and there is no seizure list in the FIR or in the case diary and this petitioner has got no criminal antecedent except another case for the same occurrence lodged by the Excise Officials.

Having considered the aforesaid facts and circumstances, let the petitioner, namely, Shiv Mahto, in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran in connection with Majhauriya P.S. Case No. 149 of 2016; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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