

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15558 of 2017

Arising Out of PS.Case No. -147 Year- 2016 Thana -RAHIKA District- MADHUBANI

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Biru Kumar Mahto Son of Late Prakash Mahto @ Ram Prakash Mahto
Resident of Village-Umgaon, P.S.-Harlakhi, District-Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajneesh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
04.12.2016 in connection with Rahika P.S. Case No. 147 of 2016
registered for the offence punishable under Sections 272 and 273
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Bihar Excise Act, 2016.

The prosecution case is that the police during
patrolling duty apprehended the petitioner and recovered 80 litres
of Nepali wine. One another person, namely, Rakesh Sahni
managed to escape from the scooty of the petitioner.

It has been submitted by the learned counsel for the
petitioner that he has no criminal antecedent and the scooty in



question did not belong to him. He further submits that nothing has been recovered from his conscious possession and he has been falsely implicated in the aforesaid case.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with Rahika P.S. Case No. 147 of 2016.

(Nilu Agrawal, J.)

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