

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4995 of 2017

Arising Out of PS.Case No. -61 Year- 2016 Thana -TERHAGACHH District- KISANGANJ

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Shankar Mahto, Son of jagarnath Mahto, Resident of Village-Bhorha,
Police Station-Terhagachh, District-Kishanganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate.
For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under Section 47(a) of Bihar Excise Amendment Act,
2016.

It is alleged that during course of patrolling, the
patrolling party found that some people were entering within
Indian territory and on seeing the police party, they tried to run
away. One of the persons was caught hold who disclosed his
name as Shankar Mahto (petitioner). The informant and other
police personnel checked the goods left by the miscreants and
110 bottles of Nepali liquor and 60 bottles of Nepali Bear were
recovered.

From the seizure memo it appears that those articles



were not recovered from the conscious possession of the petitioner. Further, it appears that the seizure memo does not bear the signature of the petitioner. The petitioner is in custody since 30.8.2016. In paragraph-3 of the bail petition it is mentioned that the petitioner has clean antecedent.

Considering the aforesaid facts and circumstances of the case, 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 learned Chief Judicial Magistrate, Kishanganj, in connection with Terhagachh P.S. Case No. 61 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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