

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36700 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -MARANCHI District- PATNA

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1. Raj Mahto @ Tiger Mahto @ Tiger Son of Pramod Mahto, R/o Village-
Barahiya Bahapar, P.S.- Maranchi and District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Apurva Kumar
Mr. Kumar Vikram
Mr. Akshay Lal Pd.
Mr. Urav Kumar

For the Opposite Party/s : Mr. Pancha Nand Pandit

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 24-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
22.03.2017 in connection with Maranchi P.S. Case No. 23/2017
for offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the informant, is
that on secret information that illegal liquor is being transported,
the pick-up van of the petitioner of which he was the driver was
intercepted and from the pick-up van 219 litres of Indian made
foreign liquor was recovered. Accordingly, a seizure-list was



prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and he was just the driver of the said vehicle, although the consignment belonged to one Bipin Singh of Jalalpur, which he disclosed before the police. He submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and considering the period of custody a sympathetic consideration be given. It is further submitted that there is violation of Section 100 Cr.P.C. as the seizure list bears the police station case number, although the seizure was made on the road.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Addl. District and Sessions Judge-8 cum Special Judge (Excise), Patna, in connection with Maranchi P.S. Case No. 23/2017, subject to the condition that one of the bailors would be a close



relative of the petitioner and if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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