

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60864 of 2017

Arising Out of PS.Case No. -271 Year- 2017 Thana -MADHUBANI TOWN District-
MADHUBANI

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Gopal Mahaseth Son of Sri Mahendra Mahaseth, Resident of Kamala Road,
Ward No.7, Jaynagar, P.S.-Jaynagar, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate

For the Opposite Party/s : Smt. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-12-2017 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Madhubani Town P.S. Case No.271 of 2017 instituted for the
offences under Sections 272, 273 of the Indian Penal Code and
Sections 30(a), 36, 41 of the Bihar Prohibition and Excise Act,
2016.

The allegation is regarding recovery of 691.2 litres of
liquor from a Tata 207 Pick Up Van parked on the road side.

The learned counsel for the petitioner submits that
neither any recovery has been effected from conscious possession
of the petitioner nor the said Tata 207 Pick Up Van belongs to



him. In fact the petitioner has been remanded in the present case in order to justify the action of detention of the petitioner in custody inasmuch as in one previous case he was granted anticipatory bail by this Court, However, he was kept in custody. It is submitted that the petitioner, barring one earlier case, has a fair antecedent and is in custody since 22.09.2017. It is further stated that he has been remanded in the present case and kept in custody on 7.10.2017.

Considering the nature of accusation and the period of custody already undergone as also in the facts and circumstances of the present case, I deem it and proper to enlarge the petitioner on regular bail. Accordingly, the petitioner named above is directed to be released on regular bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of A.D.J.-II-cum-Special Judge, Excise Act, Madhubani in connection with Madhubani Town P.S. Case No.271 of 2017.

(Mohit Kumar Shah, J)

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