

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25987 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -PHULWARI District- PATNA

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Ranjeet Mahto Son of Raj Kumar Mahto, Resident of Utari
Sangat, Phulwari Sharif, P.S.- Phulwari Sharif, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 15-06-2017

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is seeking Regular Bail in connection with Phulwari Sharif P.S. Case No. 61 of 2017 for offences under Section 30, 30(A), 38(A) of Bihar Liquor Prohibition Excise Act, 2016.

Learned counsel for the petitioner submits that allegation against the petitioner is that altogether 41 bottles of foreign liquor have been recovered from the vacant land having boundary and belonging to Kanchan Mahto and this petitioner. Learned counsel for the petitioner further submits that from the First Information Report itself it is clear that the seizure has not been made from the exclusive possession of this petitioner and the seizure is in violation



of Section 100 Cr.P.C.

Learned counsel for the petitioner however submits that petitioner has got one case under Section 324 and 326 of the Indian Penal Code wherein he is on bail. the petitioner is said to be in judicial custody since 28.01.2017.

Learned Additional Public Prosecutor opposes the prayer for bail of the petitioner.

Considering the nature of allegation and the period of judicial custody, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna, in connection with Phulwari Sharif P.S. Case No. 61 of 2017.

Rajeev/-

(Rajeev Ranjan Prasad, J.)

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