

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26013 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -UDAKISHANGANJ District- MADHEPURA
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Bajinath Mahto Son of Late Rambilash Mahto resident of Village- Uda
West, Ward No. 03, P.S.- Udakishunganj, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mustaque Alam, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
11.03.2017 in connection with Udakishunganj P.S. Case No. 38 of
2017 registered for the offence punishable under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that during search 16 litres of chulai wine was
recovered from a room of house of the petitioner.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and that
charge-sheet has already been submitted, hence, there is no chance
of tampering with the prosecution evidence. It is further submitted



that nothing has been recovered from the conscious possession of the petitioner.

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 Sub-Divisional Judicial Magistrate, Udakishunganj, District Madhepura in connection with Udakishunganj P.S. Case No. 38 of 2017.

(Nilu Agrawal, J.)

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