

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52652 of 2017

Arising Out of PS. Case No.-123 Year-2017 Thana- MAKER District- Saran

Munna Mahto Son of Shiv Lal Mahto, resident of Village- Jagdishpur, P.S.-
Maker, District- Saran at Chapara.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 10-11-2017 Heard Sri Rakesh Kumar Tiwary, learned counsel for the
petitioner and Sri Nawal Kishore Prasad, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in Maker P.S.
Case No.123 of 2017 registered for the offence under Sections
272, 273, 308 of the Indian Penal Code and Sections 30,30(A)
of the Bihar Prohibition and Excise Act,2016, has prayed for
grant of bail, in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that
the petitioner has falsely been made accused in the present case
on the accusation that about 14 liters of country-made liquor
was found behind the house of the petitioner. Fact remains that
nothing was recovered either from the conscious possession or
from the house of the petitioner. He further submits that the



petitioner is having clean antecedent. However, after he was made accused in the present case, he has been subsequently made accused in another case relating to offence under the Excise Act, which fact has been stated in paragraph-3 of the petition.

In view of the fact that nothing was recovered from the conscious possession as well as the fact that on the date, the present case has been registered, the petitioner was having clean antecedent, let the petitioner, namely, Munna Mahto, in the event of his arrest or surrender within six weeks from today, 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 Addl. District Judge-VI, Saran at Chapra in connection with Maker P.S. Case No.123 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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