

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7786 of 2018

Arising Out of PS. Case No.-180 Year-2017 Thana- GAYGHAT District- Muzaffarpur

Mithilesh Mahto, son of Late Jiya Mahto, Resident of village-Dhanaur, P.S. Katra, District-Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. MURLIDHAR

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-02-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Gai Ghat P.S. Case No. 180 of 2017, registered under Sections 272, 273 and 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving the secret information about carrying of illicit liquor at Jarang Chowk, the informant and other Police officials reached there and saw one car without number plate, on seeing the Police personnel two persons fled away from the car and one tempo was also standing near the said car loaded with one motorcycle. At that time two persons were sitting inside the vehicle and on tempo



also two persons were sitting. On search, Rs. 2,94,000/- and one bottle of India made foreign liquor recovered in the back seat of the car. The petitioner was found sitting on the tempo on demand, no valid paper regarding the ownership of the vehicle was produced.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case mere on suspicion. Further submission is that while petitioner is accused in Katra P.S. Case No. 28 of 2014 registered under Section 414 of the Indian Penal Code, but he is on bail in that case. Further submission is that petitioner is in custody since 28.08.2017.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-cum-Special Judge, Excise Act, Muzaffarpur in connection with Gay Ghat P.S. Case No. 180 of 2017.

(Rajendra Kumar Mishra, J)

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