

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6122 of 2018

Arising Out of PS.Case No. -461 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Rajan Mahto, Son of Ramji Mahto, Resident of Village/Mohalla- Turha
Toli, Kalibagh, P.S.- Bettiah Town (Kalibagh O.P.), District- West
Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar
For the Opposite Party : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 02-02-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Bettiah Town PS
Case No. 461 of 2017 registered under Section 30(A) and 36 of the
Bihar Prohibition and Excise Act.

Learned Counsel for the petitioner submits that the petitioner
is not the tempo driver though the FIR says that he is driver. The
recovery is said to be from the tempo.

Learned Counsel for the State submits that three cases under
the Excise Act were earlier lodged against the petitioner and he was
driver of the tempo from which liquor was recovered.

Having considered the said facts and circumstances, the
prayer for bail of petitioner is refused.

However the petitioner, if so advised, may renew the prayer
for bail after two months of framing of the charge.

Snkumar/-

(Arun Kumar, J.)

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