

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23330 of 2018

Arising Out of PS.Case No. -47 Year- 2018 Thana -SURSAND District- SITAMARHI

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Manoj Mahto S/o late Gyani Mahto Resident of Village Balaha Maksudan,
P.S. Pupri District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in G.R. No. 275/18 /
265/18 arising out of Sursand P.S. Case No. 47 of 2018 registered
under Sections 30(a), 38 and 41 of the Bihar Prohibition and
Excise Act, 2016.

36 litres of Nepali saufi wine is said to have been
recovered from the motorcycle and the petitioner was apprehended
while co-accused Ranjeet Mahto managed to escape.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
either with the seized liquor or with the motorcycle in question.



He has been falsely implicated in the case at the instance of his enemies. He has no criminal antecedent. He has been languishing in custody since 16.03.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II cum Special Judge, Excise Act, Sitamarhi in connection with G.R. No. 275/18 / 265/18 arising out of Sursand P.S. Case No. 47 of 2018.

(Prakash Chandra Jaiswal, J)

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