

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24730 of 2018

Arising Out of PS.Case No. -166 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

=====

Santosh Mahto son of late Manchit Mahto resident of Village - Nonia Tola,
Makurhar, P.S. - Bairgania, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Matloob Rab

=====

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

2 02-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

133.08 litres of Nepali saufi wine contained in 446
bottles is said to have been recovered from the possession of the
petitioner.

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
with the seized liquor. The container of the said bottles is not



mentioned in the seizure list. It is not possible for the petitioner to carry such huge quantity of bottles bare hand. He has been falsely implicated by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. He has no criminal antecedent. He has been languishing in custody since 20.03.2018.

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 Case No. C2/166/18.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

