

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19454 of 2018

Arising Out of PS.Case No. -55 Year- 2018 Thana -ROSERA District- SAMASTIPUR

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1. Heera Mahto @ Rahul Kumar S/o Sri Anil Kumar @ Anil Mahto, R/o
Village- Haripur Ward No. 10, P.S.- Rosera, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdhar Prasad

For the Opposite Party/s : Mr. Nagendra Prasad

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

ORAL ORDER

02 26-04-2018

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) (d), 38 and 47 of the
Bihar Prohibition and Excise Act, 2016.

274.12 liters of foreign liquor is said to have been
recovered from the Panchgama Chour and several accused persons
including the Mukesh Kumar Singh were apprehended. The said
Mukesh Kumar Singh disclosed the name of the petitioner and
other accused persons who were unloading the aforesaid liquor on
the said place.

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 been falsely implicated in this case by the Mukesh Kumar Singh due to animosity. He has no concern either with the seized liquor or the place of recovery. He was not apprehended on the spot. The said Mukesh Kumar Singh @ Mukesh Singh has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.19394 of 2018 vide order dated 24.04.2018. The petitioner has no criminal antecedent and has been languishing in custody since 19.02.2018.

In the facts and circumstances of the case, 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 3rd Additional Sessions Judge-cum-Special Judge Excise, Samastipur in connection with Rosera P.S. Case No.55 of 2018.

(Prakash Chandra Jaiswal, J.)

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