

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19402 of 2018

Arising Out of PS.Case No. -70 Year- 2017 Thana -MOKAMA RAIL P.S. District- PATNA

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Mithun Tanti S/o Arjun Tanti, R/o Village- Bajichak (Kajichak), P.S.- Barh,
District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Nabin Kumar, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP.

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

ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

50 litres of foreign liquor is said to have been
recovered from the joint possession of the petitioner and one
Chhotu @ Baudhu Yadav.

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. He has been falsely implicated in the case
at the instance of his enemies by planting aforesaid recovery from



his possession. He has no criminal antecedent. He has been languishing in custody since 12.12.2017. Similarly situated co-accused, namely, Chhotu @ Baudhu Yadav has been enlarged on bail by a co-ordinate bench of this court vide order dated 16.04.2018 passed in Cr. Misc. No. 20934 of 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 Special Judge, Excise cum Additional Sessions Judge-IX, Patna in connection with Mokama (Rail) P.S. Case No. 70 of 2017.

(Prakash Chandra Jaiswal, J)

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