

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24207 of 2018

Arising Out of PS.Case No. -293 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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Jai Kishore Prasad @ Jay Kishore Mahto @ Jai Kishore Prasad Mahto S/o
Rajendra Mahto, R/o Vill.- Lakhouura, P.S.- Ghorasahan, District- East
Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vikram Jeet

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 01-05-2018 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.

153 litres of Nepali wine is said to have been
recovered from six bags being carried by 5-6 accused persons but
all of them barring the petitioner 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
with the seized liquor. He has been falsely implicated in the case



merely on suspicion by the personnel of Excise department while he was passing through the place of occurrence at the time of occurrence. Seizure list does not indicate as to what quantity of liquor was recovered from whose bag. He has no criminal antecedent. He has been languishing in custody since 02.11.2017.

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 4th Addl. District and Sessions Judge cum Special Judge, East Champaran, Motihari in connection with Excise Case No. 293 of 2017.

(Prakash Chandra Jaiswal, J)

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