

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35938 of 2018

Arising Out of PS.Case No. -206 Year- 2018 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Chokat Mahto S/o Late Tunna Mahto, resident of Village- Kalibagh, P.S.
Kalibagh O.P. District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Anzarul Haque

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a), 35, 38 and 56 of the
Bihar Prohibition and Excise Act, 2016.

837 litres of foreign liquor is said to have been
recovered from the house of Shambhu Gupta and Renu Kumari
and Arjun Das were apprehended from the said house who
disclosed the name of the petitioner and other accused persons as
purchasers of the said liquor.

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 place of recovery or with any trade of liquor. He has been falsely implicated in the case by the apprehended accused persons due to animosity. He was not apprehended on the spot. Barring the aforesaid disclosure made by apprehended accused persons, there is nothing in the record indicating the complicity of the petitioner in the occurrence. He has no criminal antecedent. He has been languishing in custody since 22.03.2018.

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 Special Judge, Excise, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 206 of 2018.

(Prakash Chandra Jaiswal, J)

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