

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46627 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -PHENHARA District- EASTCHAMPARAN
(MOTIHARI)

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Khirodhan Mahto, S/o Jagranath Mahto, of Vill.- Madhurapur, P.S.-
Fenhara, Dist.- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sangeet Deokuliar, Advocate

For the Opposite Party : Mr. Mithilesh Kumar Khare, A.P.P.- 108

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

ORAL ORDER

2 01-08-2018 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 Sections 188, 272, 273 and 290 of the Indian Penal Code and 30 (a) of the Bihar Prohibition and Excise Act, 2016.

15 liters of toddy is said to have been recovered from the road side shop of the petitioner and the petitioner was apprehended.

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 toddy or the place of recovery. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. The seizure list does not bear the signature of the petitioner. He has no criminal antecedent and has been languishing in custody since 01.06.2018.

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 Additional Sessions Judge-VII-cum-Special Judge, Excise, East Champaran, Motihari in connection with Fenhara P.S. Case No. 46 of 2018.

(Prakash Chandra Jaiswal, J)

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