

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47275 of 2018

Arising Out of PS. Case No.-89 Year-2018 Thana- PAKRIDAYAL District- East Champaran

Naresh Mahto, S/o Late Devan Mahto, R/o Sheikhpurva, P.S. Pakridayal,
Distt-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Ram Bachan Singh

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

ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Pakridayal P.S. Case No. 89 of 2018 registered for the offence
punishable under Sections 272, 273, 353 of the I.P.C. and
Sections 30, 34, 38 of the Bihar Prohibition and Excise Act,
2016.

36 lts. of toddy is said to have been recovered from
near the peepal tree and petitioner managed to escape from the
aforesaid place.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either



with the seized toddy or with the place of recovery. The place of recovery is open place and easily accessible to anyone. He has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 08.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-VII-cum-Special Judge, Excise, East Champaran at Motihari in connection with Pakridayal P.S. Case No. 89 of 2018.

(Prakash Chandra Jaiswal, J)

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