

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51600 of 2018**

Arising Out of PS. Case No.-131 Year-2017 Thana- DARBHANGA District- Darbhanga

Rajan Mahto S/o Late Ram Chandra Mahto, R/o Village/Mohalla-Shivaji  
Nagar Masraf Bazar, Ward no. 22, P.S. Darbhanga (Town) Distt-Darbhang.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vinay Kumar Mishra  
For the Opposite Party/s : Mr. Kalyan Shankar

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

ORAL ORDER

2     23-08-2018                      Heard learned counsel for the petitioner and  
learned APP for the State.

The petitioner seeks bail in connection with  
Darbhanga (Town) P.S. Case no. 131 of 2017 registered for the  
offence punishable under Section 30(a) of the Bihar Prohibition  
and Excise Act, 2016.

137.200 lts. of foreign liquor is said to have been  
recovered from joint house of Rajan Mahto and co-accused  
Kishan Mahto and both the aforesaid accused persons managed  
to escape.

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 with



the seized liquor. He has been falsely implicated in this case at the instance of his enemy. The house of the petitioner is inhabited by his several other family members and he had no knowledge of keeping of liquor in the house. He was not apprehended on the spot. He has no criminal antecedent and has been languishing in custody since 25.07.2018. The other occupants of the house, namely, Mina Devi, Rahul Kumar and Kavita Devi have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 21.09.2017 passed in Cr. Misc. no. 46788 of 2017.

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 4<sup>th</sup> Addl. Sessions Judge, Darbhanga in connection with Darbhanga (Town) P.S. Case no. 131 of 2017.

**(Prakash Chandra Jaiswal, J)**

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