

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50078 of 2018**

Arising Out of PS.Case No. -302 Year- 2018 Thana -BAHADURPUR District- DARBHANGA

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Santosh Mahto, S/o. Late Sone Lal Mahto, Resident of Mohalla- Gandhi  
Nagar, P.S.- Sadar, District- Darbhanga.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. S.M. Rahman

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

2      14-08-2018                      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 30 (a), 36, 38 and 41 of the  
Bihar Prohibition and Excise Act, 2016.

453.75 liters of foreign liquor is said to have been  
recovered from the house of Shankar Yadav and petitioner is said  
to be liquor trader as per the account of local. Petitioner happens  
to be regular visitor of the said house and had left the said house  
some times preceding the raid.

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 the place of recovery or any trade



of liquor. He has been falsely implicated in this case at the instance of his enemy. The identity and genuineness of the sources of information has not been mentioned in the self statement of the informant. He was not apprehended on the spot. Though one more criminal case under the Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 09.07.2018.

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 IVth -cum-Special Judge, Darbhanga in connection with G.O. Case No. 607 of 2018 arising out of Bahadurpur P.S. Case No. 302 of 2018.

**(Prakash Chandra Jaiswal, J)**

Kr. Uday/-

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