

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 55643 of 2018

Arising out of G.O. Case No.-136 Year-2018 District- Madhubani

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Bharat Kumar Mahto S/o Raj Kumar Mahto, R/o Ward No. 14, Gilesan Bazaar, Madhubani, P.S.-Madhubani Town, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 06-10-2018 Heard Sri Ravindra Kumar Singh, learned counsel for the petitioner. None appeared on behalf of State.

The sole petitioner, apprehending his arrest in G.O. Case No. 136 of 2018 registered for offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

Learned counsel for the petitioner has drawn my attention to statement made in paragraph-3 of the petition to show that petitioner is having clean antecedent. He further submits that in the present case, petitioner has been made accused only on suspicion. Learned counsel for the petitioner submits that without any rhyme and reason, petitioner has been arrayed as accused by the Excise officials. He submits that in this case, one Maruti car was intercepted with driver and in the said vehicle, there was huge quantity of Indian make foreign



liquor. Though, driver was apprehended, he did not disclose the name of petitioner, however; the Excise officials, to the reasons best known to them, have arrayed the petitioner as accused in the case. By way of referring to statement made in paragraph – 8 of the petition, learned counsel for the petitioner submits that petitioner was neither having any connection with the said Maruti car nor the seized liquor.

Considering the fact that petitioner is having clean antecedent as well as statement made in paragraph – 8 of the petition, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Bharat Kumar Mahto 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 learned 2nd Additional District & Sessions Judge-cum-Special Judge, Excise Act, Madhubani, District- Madhubani in connection with G.O. Case No. 136 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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