

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62377 of 2017

Arising Out of PS.Case No. -167 Year- 2017 Thana -CHANDAN District- BANKA

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Bolti Murmu @ Bolti Marandi @ Awanti Murmu W/o Dablu Marandi @
Dablu Murmu, R/o Village- Kanoudiya, P.O. + P.S.- Chandan, District-
Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Jha, Advocate.

For the Opposite Party : Smt. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
23.10.2017 in a case for the offence registered under Sections
30(d) of the Bihar Prohibition and Excise Act, 2016 and 3 of the
Bihar Excise Mahua Flower Rule.

The prosecution story, in brief, is that 110 Kg.
Mahua is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. It is alleged that 110 Kg. Mahua is recovered. The Mahua does not come within the meaning of intoxicant fit for human consumption. The same is used in cattle feed also. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 Additional Sessions Judge-II, Banka, in connection with Chandan P.S. Case No. 167 of 2017, G.R. No. 3473 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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