

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20818 of 2018

Arising Out of PS.Case No. -313 Year- 2017 Thana -SONBERSA District- SITAMARHI

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1. Awdhesh Kumar @ Awdhesh Kumar Mahto @ Awadhesh Kumar S/o
Rambabu Mahto, R/o Village- Madhiya, P.S.- Sonbarsa, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 13-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sonbarsa P.S. Case No.
313 of 2017 registered under Section 272 and 273 of the Indian
Penal Code and Section 30 (a) of the Bihar Prohibition and Excise
Act, 2016.

48 liters of Nepali Saufi wine is said to have been
recovered from the heap of straw kept in bamboo cluster of
Manraj Kumar which is said to have been concealed there by
Jitendra Kumar and Awadhesh Kumar (petitioner).

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 been



falsely implicated in this case at the instance of his enemy. The name and identity of the informer has not been mentioned in the F.I.R. Though three cases under the Excise Act have been lodged against the petitioner but he is on bail in the aforesaid cases. He has no criminal antecedent and has been languishing in custody since 18.02.2018.

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 A.D.J.-II-cum-Special Judge Excise Act, Sitamarhi in connection with Sonbarsa P.S. Case No.313 of 2017.

(Prakash Chandra Jaiswal, J)

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