

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24359 of 2018

Arising Out of PS.Case No. -158 Year- 2017 Thana -MOKAMAH District- PATNA

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Arvind Mahto, son of Late Sikandar Mahto, Resident of Mohalla- Sisauni,
Near Training School, Ward No.- 25, Mokama, Police Station- Mokama,
District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

71 litres of country made liquor is said to have been
recovered from the rickshaw and the rickshaw puller namely
Chandra Mauli Ram @ Mallu Ram was apprehended while two
persons alighting from the said rickshaw managed to escape. The
said apprehended accused disclosed the name of the petitioner as
one of the fleeing accused persons.

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 with the seized liquor. He has been falsely implicated in the case at the instance of Chandra Mauli Ram @ Mallu Ram due to animosity. He was not apprehended on the spot. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 07.03.2018. Said Chandra Mauli Ram @ Mallu Ram has been enlarged on bail by a co-ordinate bench of this court vide order dated 21.02.2018 passed in Cr. Misc. No. 6716 of 2018.

Considering the facts aforesaid, 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 Special Judge, Excise Act, Patna in connection with Special Case No. 7269 of 2017 arising out of Mokama P.S. Case No. 158 of 2017.

(Prakash Chandra Jaiswal, J)

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