

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10333 of 2018

Arising Out of PS.Case No. -293 Year- 2017 Thana -BIHARIGANJ District- MADHEPURA

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Ajay Kumar Mahto @ Ajay Mahto S/o Etwari Mahto, R/o Village-
Bihariganj Ward No.5, P.S.- Bihariganj, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dr. Sanjay Kumar Singh, Advocate.

For the Opposite Party : Smt. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
13.10.2017 in a case for the offence registered under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 25 liters
wine 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/prosecution report has been submitted in this 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 total 25 liters wine is recovered



from the Bicycle of the petitioner. The name of the petitioner has come on the basis of alleged recovery from his Bicycle. 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/ Complaint Case.

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 J.M. Ist Class, Uda-Kishunganj, Madhepura, in connection with Bihariganj P.S. Case No. 293 of 2017.

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(Sudhir Singh, J)

