

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 32972 of 2018

Arising Out of PS. Case No.-229 Year-2017 Thana- Bairstania District- Sitamarhi

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Rama Shankar Mahto S/o Ramdeo Mahto, R/o Vill.- Shivnagar, Munia Tola,
Ward No. 15, P.S.- Bairstania, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Smt. Madhubala Verma

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 13-06-2018 Heard Smt. Madhubala Verma, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, having clean antecedent, which fact has been stated in paragraph – 3 of the petition apprehending his arrest in Bairstania P.S. Case No. 229 of 2017 registered for offence under Sections 272, 273 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that petitioner has been arrayed as accused on the basis of confessional statement of the co-accused namely Santosh Mahto @ Tosi Mahto from whose possession about 36 liters of Nepali Saufi wine was shown to be recovered. It has been argued that



save and except confessional statement of the co-accused, there is no other material to connect the petitioner in the present case.

Considering the nature of accusation, the fact that petitioner's name has come in the confessional statement as well as clean antecedent, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Rama Shankar 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 Additional District Judge-II cum Spl. Judge, Excise Act, Sitamarhi in connection with Bairgania P.S. Case No. 229 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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