

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32526 of 2018

Arising Out of PS.Case No. -65 Year- 2018 Thana -MOKAMAH District- PATNA

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Dilip Mahto S/o Late Vishnu Mahto, R/o Vill.- Kanhaipur, P.S.- Mokama,
Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 05-06-2018

Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Special Case No. 2691 of 2018, arising out of Mokama P.S. Case No. 65 of 2018, for the offence under Sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He further submits that the Toddy and the Mahua liquor was not recovered from the conscious possession of the petitioner, but it was lying near the Kanhaipur Railway Halt. He submits that the place from where the Toddy or Mahua liquor was recovered, was a public place, and cannot be a ground to implicate this petitioner in the instant case. The petitioner is in custody since 22.03.2018.

Considering the fact that the petitioner has no



criminal antecedent and has remained in custody for more than two and half months, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 2691 of 2018, arising out of Mokama P.S. Case No. 65 of 2018.

(Anil Kumar Upadhyay, J)

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