

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47576 of 2018

Arising Out of PS.Case No. -199 Year- 2018 Thana -CHIRAIYA District- EASTCHAMPARAN
(MOTIHARI)

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Suresh Mahto, S/o Jagarnath Mahto, Resident of Village- Gokhula, P.S.-
Chiraiya, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 03-08-2018 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.

20 litres of toddy is said to have been recovered
from near the brick kiln of Suresh Sah allegedly kept there by the
petitioner for selling and the petitioner was apprehended.

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
either with the seized toddy or with the place of recovery. Place of



recovery is open place and is easily accessible to anyone. He has been falsely implicated in the case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. He has no criminal antecedent. He has been languishing in custody since 06.06.2018.

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, East Champaran, Motihari in connection with Chiraiya P.S. Case No. 199 of 2018.

(Prakash Chandra Jaiswal, J)

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