

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50529 of 2018

Arising Out of PS.Case No. -152 Year- 2018 Thana -BARURAJ District- MUZAFFARPUR

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Banti Lal Mahto, S/o. Anat Mahto, R/o. Village- Gokula, P.S.- Baruraj,
District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of the Indian Penal
Code and Sections 30(a) and 41 of the Bihar Prohibition and
Excise Act, 2016.

84.375 litres of foreign liquor is said to have been
recovered from the hut located in the field of the petitioner.

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 liquor or with the hut in question. The said
hut is lying open in abandoned condition in the field and easily
accessible to anyone. He had no knowledge of keeping of the



liquor in the said hut. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 16.07.2018.

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, Muzaffarpur in connection with Baruraj P.S. Case No. 152 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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