

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25346 of 2018

Arising Out of PS.Case No. -20 Year- 2018 Thana -MUSRIGHARARI District- SAMASTIPUR

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Upendra Mahto S/o Mahendra Mahto, R/o Vill.- Udapatty, P.S.-
Musarigharari, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Smt Renu Kumari

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 02-05-2018 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 Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

750 ML of foreign liquor and 20 litres of toddy are
said to have been recovered from the courtyard of the house of the
petitioner 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
with the seized articles. He has been falsely implicated in the case



due to dirty village politics. The house of the petitioner is inhabited by several family members and he had no knowledge of keeping of the said articles in his courtyard. Seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 15.02.2018.

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 3rd Addl. Session Judge cum Special Judge, Excise Act, Samastipur in connection with Musarigharari P.S. Case No. 20 of 2018.

(Prakash Chandra Jaiswal, J)

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