

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54674 of 2018

Arising Out of PS. Case No.-339 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Anjay Mahto, S/o Kangresi Mahto @ Keshee Mahto, Resident of Village-
Sirsiya Bazar Ward No.-2, P.S.- Bela, Dist- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Case
No.C2-339/18/435/18 for the offence under section 30(A) of
Bihar Prohibition Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent. He is in custody since
19.07.2018.

He submits that petitioner has falsely been implicated
in this case as he had gone to the house of his sister in Nepal
and thereafter he was intercepted when he was crossing Nepal
boarder.

Learned counsel submits that petitioner has no



concern with the seized liquor. In fact, it has been planted by the informant and mandatory requirements of Section 100 of the Cr.P.C. was not followed while preparing seizure list.

Considering the totality of the facts situation and the period of incarceration of the petitioner since 21.6.2018, let the petitioner, named above, 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 A.D.J.-II cum Special Judge, Excise Act, Sitamarhi, in connection with Case No. C2-339/18/435/18.

(Anil Kumar Upadhyay, J)

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