

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48656 of 2018

Arising Out of PS.Case No. -255 Year- 2018 Thana -DARBHANGA SADAR District-
DARBHANGA

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Budhan Mahto Son of Late Murli Mahto resident of village - Sara
Mohammad, P.S. Sadar, District - Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Nand Kumar

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

2 09-08-2018

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.

30 litres of foreign liquor is said to have been
recovered from 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 liquor. He has been falsely implicated in the case



at the instance of his enemies. The house of the petitioner is inhabited by several family members and he had no knowledge of keeping of the said liquor in the house. Seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 29.06.2018.

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 Addl. Sessions Judge-IV cum Special Judge, Darbhanga in connection with G.O. Excise Case No. 594 of 2018 arising out of Sadar P.S. Case No. 255 of 2018.

(Prakash Chandra Jaiswal, J)

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