

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10631 of 2018

Arising Out of PS.Case No. -302 Year- 2017 Thana -GAUTAMBUDHNAGAR District- SIWAN

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Devendra Mahto S/o Late Ramanand Mahto, R/o Vill.- Bharatpura, Mathia,
P.S.- G.B. nagar, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Arvind Kumar Sinha

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in G.B. Nagar P.S. Case
No. 302 of 2017 registered under Sections 272, 273 and 308 of the
Indian Penal Code and Sections 30 and 38 of the Bihar Prohibition
and Excise Act, 2016.

7.200 litres of foreign liquor is said to have been
recovered from the house of Rajesh Kumar Sah and the petitioner
and said Rajesh Kumar Sah were 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 liquor or with the place of recovery. He had



gone to meet Rajesh Kumar Sah at the time of occurrence and has been falsely implicated in the case by the police merely on suspicion. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 20.12.2017.

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-II, Siwan in connection with G.B. Nagar P.S. Case No. 302 of 2017.

(Prakash Chandra Jaiswal, J)

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