

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16017 of 2018

Arising Out of PS. Case No.-92 Year-2017 Thana- PHENHARA District- East Champaran

Munilal Mahto S/o Rupan Mahto, R/o Village- Chauhan Chhapara, P.S.-
Phenhara, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. S. Ehteshamuddin, APP

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

ORAL ORDER

2 21-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Phenara P.S.
Case no. 92 of 2017 registered for the offence punishable under
Sections 188, 272, 273, 290 of the Indian Penal Code and 30 of
Bihar Excise and Prohibition Act-2016.

80 lts. of toddy is said to have been recovered from the
cycle being carried by the petitioner and he was apprehended
while trying to escape dumping the cycle seeing the police party.

It is submitted by learned counsel for the petitioner that no
incriminating article has been recovered from his conscious
physical possession. He has been falsely implicated in the case
at the instance of his enemy by planting the aforesaid recovery



from his possession. He has no concern either with the aforesaid cycle or with the seized liquor. As a matter of fact, the real miscreants dumping the aforesaid cycle managed to escape and petitioner unfortunately standing near the place of occurrence was apprehended by the police merely on suspicion. Though, one more criminal case has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 20.12.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge of Excise, East Champaran, Motihari in connection with Phenhara P.S. Case no. 92 of 2017.

(Prakash Chandra Jaiswal, J)

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