IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45231 of 2018

Arising Out of PS.Case No. -38 Year- 2018 Thana -GAUTAMBUDHNAGAR District- SIWAN

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Munna Mahto, S/o. Tuntun Mahto, R/o. Village- Gaur Rauza, P.S.- G.B. nagr, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 25-07-2018 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, 273 & 308 of the Indian Penal Code and Sections 30, 34, 36 & 41 of the Bihar Prohibition and Excise Act, 2016.

3 liters of country made liquor is said to have been recovered from the house of the petitioner and the petitioner managed to escape.

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 this case at the instance of his enemy by planting the said recovery from his

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possession. He was not apprehended on the spot. Though two more criminal cases have been lodged against the petitioner but he is on bail in the aforesaid cases. He has been languishing in custody since 30.05.2018.

In the facts and circumstances of the case, 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 Additional District and Sessions Judge-II -cum-Special Judge Excise Act, Siwan in connection with G.B. Nagar P.S. Case No. 38 of 2018.

(Prakash Chandra Jaiswal, J)

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