

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34242 of 2018

Arising Out of PS.Case No. -130 Year- 2018 Thana -BIBHUTIPUR District- SAMASTIPUR

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Raj Kumar Mahto S/o Late Ramotar Mahto, R/o Vill.- Surauli, P.S.-
Vibhutipur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

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

ORAL ORDER

2 20-06-2018 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 30(a), 38 and 47 of the Bihar
Prohibition and Excise Act, 2016.

8.5 litres of foreign liquor is said to have been
recovered from the straw house located beside 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. The straw house from where the said liquor
is said to have been recovered is open and easily accessible to



anyone and the petitioner had no knowledge of keeping of the aforesaid liquor in the said house. He has no criminal antecedent. He has been languishing in custody since 13.05.2018.

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 6th cum Special Judge, Excise, Samastipur in connection with Vibhutipur P.S. Case No. 130 of 2018.

(Prakash Chandra Jaiswal, J)

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