

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 55590 of 2018

Arising Out of PS. Case No.-82 Year-2018 Thana- Khagaul District- Patna

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Brajesh Kumar Mahto @ Brajesh Kumar S/o Pintu Mahto, R/o Lakhani
Bigha, P.S.- Danapur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Arya

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 06-10-2018 Heard Sri Mithilesh Kumar Arya, learned counsel for
the petitioner. None appeared on behalf of State.

The sole petitioner, apprehending his arrest in Special
Case No. 3497 of 2018, arising out of Khagaul P.S. Case No. 82
of 2018 registered for offence under Section 30(a) of Bihar
Prohibition and Excise Act, 2016, has prayed for grant of bail in
the event of his arrest or surrender.

Learned counsel for the petitioner has drawn my
attention to statement made in paragraph-3 of the petition to
show that petitioner is having clean antecedent. He further
submits that in the present case, huge quantity of Indian make
foreign liquor was shown to be recovered from a hut, which was
situated in an orchard, not belonging to the petitioner and
petitioner has been arrayed as one of the accused. He submits



that only on suspicion, petitioner has been made accused, otherwise neither petitioner was having any connection with the said hut nor any connection with the said liquor.

Considering the fact that nothing was recovered from the conscious possession of the petitioner as well as clean antecedent of the petitioner, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Brajesh Kumar Mahto @ Brajesh Kumar 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 learned Special Judge Excise Act, Patna in connection with Special Case No. 3497 of 2018, arising out of Khagaul P.S. Case No. 82 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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