

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50072 of 2018

Arising Out of PS.Case No. -277 Year- 2018 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Vijay Mahto, S/o Sri Dhruv Mahto @ Dhruv Mahto, resident of Mohalla-
Uttarwari Pokhar, Ward No. 06, P.S.- Bettiah Town (Kalibag O.P.),
District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 14-08-2018 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), 35, 38 and 56 of the Bihar
Prohibition and Excise Act, 2016.

126 liters of foreign liquor is said to have been recovered
from the house and two motorcycles parked in the said house of
the petitioner and 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. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the house. He was not apprehended on the spot. Though two more cases under Excise Act have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 14.04.2018.

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 Special Judge Excise Act, West Champaran at Bettiah in connection with Bettiah Town P.S. Case No. 277 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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