

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4686 of 2019**

Arising Out of PS. Case No.-204 Year-2018 Thana- DUMARIAGHAT District- East  
Champaran

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Jitendra Mahto, aged 30 years (male), Son of Karan Mahto @ Baran Mahto,  
Resident of Village - Sagar Churaman, P.S.- Kesariya, District- East  
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      29-01-2019                      Heard leaned counsel for the petitioner and  
learned APP for the State.

The petitioner is languishing in custody since  
22.11.2018 in a case registered for the offences punishable  
under Sections 272, 273 and 34 of the Indian Penal Code and  
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 78 litres of illicit country  
made liquor was recovered from the motorcycle driven by the  
petitioner.

It is submitted by learned counsel for the petitioner  
that the recovery was made from the motorcycle which is  
registered in the name of co-accused Lalan Bharti. A statement  
has been made in paragraph no. 3 of the petition that the



petitioner is not having any criminal antecedent.

Learned APP for the State submits that apprehended motorcycle was driven by the petitioner, when the said recovery was made.

Considering the period under custody, coupled with statement made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent , let the above named petitioner be released 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 **7<sup>th</sup> Additional Sessions Judge cum Special Judge, Excise, Motihari, East Champaran** in connection with **Dumariyaghat P.S. Case No. 204 of 2018**.

**(Dinesh Kumar Singh, J)**

Deepak/Rahul/-

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