

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8698 of 2019

Arising Out of PS. Case No.-73 Year-2018 Thana- BHANGHA District- West Champaran

BASUDEVA MAHTO, Son of Late Banu Mahto, Resident of Village -
Bakulahiya, P.S.- Manpur, Dist- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
26.10.2018 in a case registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise, Act, 2016.

It is alleged that from the motorcycle of the petitioner,
47 litres of illicit country made liquor were recovered.

It is submitted by learned counsel for the petitioner
that the presence of the petitioner on the place of seizure is
doubtful since the seizure list does not bear the signature of the
petitioner. It is further submitted that the investigation has
already been concluded and 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 the recovery has been made from the possession of the petitioner.

Considering the quantity of recovery, the period under custody and investigation being concluded, 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 Special Judge, Excise, Bettiah, West Champaran in connection with Bhangaha P.S. Case No.73 of 2018.

(Dinesh Kumar Singh, J)

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