

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15112 of 2019**

Arising Out of PS. Case No.-250 Year-2018 Thana- BAJPATTI District- Sitamarhi

RAM BABU MAHTO Son of Ram Kishore Mahto R/o village- Awapur, P.S.-
Pupari, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Ajay Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 12-03-2019 Heard both sides.

The petitioner apprehends his arrest in Bajpatti P.S.
Case No.250 of 2018 registered under Sections 272, 273/34 of
the Indian Penal Code and under Section 30(a) of Bihar
Prohibition and Excise Act.

The police got information that trader of liquor had
brought Nepali liquor and kept by the side of Adhwara river. On
such, raid was conducted and about 62 liters of Nepali liquor is
alleged to have been recovered. The villagers disclosed the
name of the petitioner and others and alleged that the petitioner
and others have brought the Nepali liquor to hand over the same
to Indal Mukhiya.

The learned counsel for the petitioner submits that
save and except the disclosure made by so called villagers,



whose names have not been disclosed, there is no material against the petitioner. Nobody has seen the petitioner carrying any liquor. The liquor was recovered from a lonely place situated by the side of the river.

Taking into consideration the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. II-cum-Special Judge, Excise Act, Sitamarhi in connection with Bajpatti P.S. Case No.250 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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