

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17751 of 2019**

Arising Out of PS. Case No.-445 Year-2018 Thana- ROSERA District- Samastipur

SANJAY MAHTO @ SANJAY KUMAR @ SANJAY KUMAR MAHTO,  
aged about 24 years, Male, Son of Chandradeo Mahto R/o village- Kapan,  
P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Sangeeta Sharma

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

2      27-03-2019                      Heard both sides.

The petitioner apprehends his arrest in Rosera P.S.  
Case No.445 of 2018 registered under Section 30(a) of Bihar  
Prohibition and Excise Act.

The police intercepted a Bolero and arrested Sanjay  
Mahto, son of Baidyanath Mahto and Santosh Mandal and two  
persons were also arrested who had come from motorcycle. On  
search, huge quantity of Indian made foreign liquor of different  
brands was recovered from the vehicle. Sanjay Mahto disclosed  
that the petitioner and one Firoz Mahto asked to bring the liquor.

The learned counsel for the petitioner submits that  
save and except disclosure made by Sanjay Mahto, there is no  
material to show the involvement of the petitioner. Petitioner



never ordered for any consignment of liquor. Nothing has been recovered from the possession of the petitioner. Petitioner has got no criminal antecedent and the petitioner is not the owner of the vehicle.

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 3<sup>rd</sup> Additional Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with Rosera P.S. Case No.445 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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