

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20499 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- RASULPUR District- Saran

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Dablu Kumar Mahto @ Dablu Kumar, Son of Baleshour Mahato, Resident of
Village- Katawar, P.S.- Darauda, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Arbind Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
20.01.2019 in a case registered for the offences punishable
under Sections 30, 38 and 41 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as per the self statement of S.I.
Sujeet Das recorded on 19.01.2019 at 11.55 P.M., is to the effect
that on the same day at 10.00 P.M. during patrolling, the
informant received information that co-accused Ajay Singh,
Bablu Singh and Subhash Singh are transporting illicit liquor to
Nawada and consequently, a raid was laid and from one Bolero
Pickup Van and a Bolero Pickup Jeep, five persons on seeing the
police party started fleeing away, however, on chase being made



two persons were apprehended, who disclosed their name as Dablu Kumar Mahto, the petitioner and Chhote Kumar Rai. It is alleged that from both the vehicles total 1969.92 litres of illicit Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that admittedly the petitioner along with co-accused Chhote Kumar Rai was apprehended from the vehicle in question but information was received by the informant that the liquor was being transported by co-accused Ajay Singh, Bablu Singh and Subhash Singh. A statement has been made in paragraph 10 of the petition that the petitioner in no way is connected any of the vehicles in question and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner was apprehended from the place of seizure.

Considering the fact that materials on record does not suggest that actual ownership of the seized vehicles has been ascertained, coupled with the statement made in paragraph 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 6th
Additional Sessions Judge, Saran at Chapra in connection with
Rasulpur P.S. Case No. 11 of 2019.

(Dinesh Kumar Singh, J)

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