

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23048 of 2019**

Arising Out of PS. Case No.-9 Year-2019 Thana- KAHALGAON District- Bhagalpur

=====

Raja Mahto @ Raj Kumar Mahto, Son of Late Ramji Mahto, Resident of
Village-Mahesha Munda, P.S-Kahalgaon, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-04-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Kahalgaon P.S. Case No.
09 of 2019, instituted for the offences under Section 30(a),37(c)
of the Bihar Prohibition and Excise Act, 2016 and Section
188,290 of the Indian Penal Code.

Learned counsel for the petitioner submits that there is
no recovery of any liquor from conscious possession of
petitioner. It is alleged in the written report that informant got
information that some persons came from Jharkhand to sell
illicit liquor. Thereafter, he reached at the place of occurrence
and found two persons trying to run away after seeing
police. Accused persons apprehended by the police
disclosed that they had thrown the illicit liquor in pond. From



seizure list, it appears that recovery of illicit liquor has been made from the pond.

Learned counsel for the petitioner has submitted that petitioner is in custody since 04.01.2019 having clean antecedent.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the learned 2nd Addl. Sessions Judge II-cum-Special Judge, Excise Act, Bhagalpur, in connection with Kahalgaon P.S. Case No. 09 of 2019. Both the bailors will be close relative of petitioner.

(Sanjay Priya, J)

khushbu/-

U		T	
---	--	---	--

