

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31928 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- ISUAPUR District- Saran

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KAMESHWAR MAHTO @ MUKHIYA MAHTO, Male, aged about 47 years, Son of Dhar Nath Mahto, Resident of Village- Dhama Parsa, P.S.- Isuapur, District- Saran at Chapra (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Rakesh Kumar, Advocate.

For the Opposite Party : Mr.Parmanand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-05-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 22.03.2019 in a case for the offence registered under Sections 30, 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 4000 liters spirit is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 4000 liters spirit is recovered from the Truck in question. The petitioner is the



driver of the Truck in question. Merely on the basis of suspicion, his name has come in the present case. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IX-cum-Special Judge, Saran at Chapra, in connection with Ishuapur P.S. Case No. 31 of 2019.

(Sudhir Singh, J)

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