

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31973 of 2019

Arising Out of PS. Case No.-85 Year-2018 Thana- SAHODARA District- West Champaran

Manoj Mahto, Aged about 24 years, Male, Son of Dhanesh Mahto, Resident
of Village - Kamta, P.s.- Sahodara, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-05-2019 Heard both sides.

Petitioner apprehends his arrest in Sahodara P.S. Case
No.85 of 2018, registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
informant disclosed in his written report that the house of the
petitioner, namely, Manoj Mahto and other accused persons
were searched and country made liquor was recovered but from
perusal of the seizure list it would appear that house of the
petitioner was not searched and the seizure list does not disclose
that from whose house liquor was recovered. It is further
submitted that in view of the provisions of the Bihar Prohibition
and Excise Act, if recovery is made from the house of the
petitioner, the house is required to be sealed but the informant



did not seal the house of the petitioner. On perusal of the seizure list, it is evident that the informant did not disclose the fact that from whose house, recovery was made.

Considering the facts aforesaid, let 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 this order, be enlarged 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 Special Judge, Excise, Bettiah, West Champaran in connection with Sahodara P.S. Case No.85 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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