

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34339 of 2019

Arising Out of PS. Case No.-358 Year-2018 Thana- RIGA District- Sitamarhi

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Sanjay Mahto, S/o Nathuani Mahto, Resident of Village- Madhesara, P.S.-
Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 30.04.2019 in a case registered for the offences punishable under Sections 272, 273, 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on secret information being received by the informant being Police Officer that huge quantity of illicit liquor is being supplied by the petitioner, Sanjay Mahto and the same is transported to the house of Rambharosh Thakur, raid was laid, when a truck was found parked near the house of Rambharosh Thakur, from which four



persons came out from the truck and one of them called Rambharosh Thakur and thereafter, the driver and cleaner of the truck removed the waterproof canvas and started unloading the illicit liquor from the truck in question but on seeing the police party, they fled away and from the truck 1584 litres of illicit Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that the truck in question does not belong to the petitioner and the petitioner was not found at the place of recovery. It is further submitted that co-accused Raj Kumar Mahto has been granted bail by a Co-ordinate Bench of this Court vide order dated 11.04.2019 passed in Cr. Misc. No. 22907 of 2019 and it is further submitted that the petitioner is accused in one another case and he is on bail in that case.

Learned APP submits that huge quantity of illicit liquor was being supplied by the petitioner.

Considering the fact that the recovery has been made from the truck with which the petitioner is not connected, 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 Additional Sessions Judge-II -cum- Special Judge, Excise



Act, Sitamarhi in connection with Riga P.S. Case No. 358 of
2018.

(Dinesh Kumar Singh, J)

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