

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38531 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- PURUSHOTTAMPUR District- West
Champaran

=====

PRABHU MAHTO Son of Chandra Mahto Resident of Village - Balthar, P.S.-
Balthar, Dist.- West Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. THE UNION OF INDIA Through Sri Ram Kishan Assistant Deputy
Inspector, 47 B Battalion, S.S.B. Sikta, Dist.- West Champaran.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No 7
For the Union of India : Mr. Rakesh Kumar Sinha

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-06-2019 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in connection with
Pursottampur P.S. Case No. 11 of 2019 instituted for the
offence under Section(s) 30(A) of Bihar Prohibition & Excise
Act, 2016.

It is alleged by the informant who is Assistant
Deputy Inspector posted in 47B Battalion SSB that during
course of checking he saw that some persons were coming with
bag towards Nepal side. The informant has further alleged that
after seeing the police party some persons succeeded in running



away and this petitioner was apprehended. It is further alleged that total 123 litres of Nepali liquor has been recovered from the bag.

Learned counsel for petitioner submits that seizure list has been prepared which does not bear signature of this petitioner. Petitioner has been arrested merely on suspicion.

Learned counsel for the Union of India has appeared and opposed the prayer for bail and submitted that one another case of excise act is pending against this petitioner.

Petitioner is in custody since 15.2.2019.

Considering the aforesaid, 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 Special Judge (Excise Act), Bettiah, West Champaran, in connection with Pursottampur P.S. Case No. 11 of 2019 subject to the condition that both the bailors shall be the close relative of the petitioner.

It is mentioned in para 3 of bail petition that petitioner is accused in another case under the Excise Act.

The petitioner will file affidavit at the time of filing bail bond that he would not indulge himself in such type of activities in future. If he is found indulged in such type of



activities, his bail bond in instant case will liable to be cancelled.

(Sanjay Priya, J)

shyambihari/-

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

