

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39751 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- KHUTAUNA District- Madhubani

Satish Mahto @ Satish Kumar, Son of Satya Narayan Mahto, Resident of
Village- Khutauna, P.S.- Khutauna, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udeshya Kumar Yadav, Advocate.

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

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 28-06-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Khutauna P.S. Case No. 09 of 2019 registered under
Sections 372 and 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act.

The accusation is of recovery of 530 bottles each
containing 300 ml Nepali liquor from the Scorpio, which was
being driven by Chandreshwar Paswan, who was apprehended
by the police at the spot. Chandreshwar Paswan also disclosed
that the seized liquor was loaded on the instruction of this
petitioner.

Learned counsel for the petitioner submits that



petitioner was not apprehended by the police either from the vehicle or nearby the vehicle and the name of the petitioner has come in the confessional statement of co-accused, Chandreshwar Paswan.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned A.D.J.-II-cum-Special Judge (Excise) Madhubani, in connection with Khutauna P.S. Case No. 09 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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