

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40959 of 2019

Arising Out of PS. Case No.-109 Year-2019 Thana- KHAIRA District- Saran

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Rakesh Mahto @ Gucharu Mahto, Son of Late Mohar Lal Mahto, Resident of
Village- Paterha, Police Station- Khaira, District- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Anil Prasad Singh

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

ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Khaira P.S. Case No. 109 of 2019, registered under Section
272 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The accusation is that on receiving the secret
information about preparation of country made liquor at the
bank of Patedha river, the informant along with other police
personnel reached there and on seeing the police party, one
person, who was preparing the liquor, succeeded to flee away.
On search, 15 litres country made liquor kept in plastic pot and
other utensils for preparing the liquor were recovered. The



witnesses disclosed the name of the petitioner, who succeeded to flee away.

Learned counsel for the petitioner submits that petitioner was not apprehended at the spot and his name has surfaced in the statement of witnesses. Further submissions is that aforesaid seized liquors and other utensils were not recovered from the house of the petitioner and petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of 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 Additional Sessions Judge-IX-cum-Special Judge, Excise, Chapra, Saran, in connection with Khaira P.S. Case No. 109 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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