IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53482 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- CHACKMENSI District- Samastipur

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NARESH MAHTO @ RAM NARESH MAHTO Son of late Ram Charan Mahto Resident of Village - Somnaha Baratol, P.S.- Chakmehsi, Dist.- Samastipur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ranjan Kumar
For the Opposite Party/s : Mr.Veena Rani Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Chakmehsi P.S. Case No. 89 of 2019,** instituted for the offence under Section(s) 272, 273/34 of the Indian Penal Code and Sections 30(a) and 47 of Bihar Prohibition and Excise Act, 2016.

It is alleged in the written report that during patrolling duty informant got information from the Officer-in-Charge that in village *Somnaha* foreign liqour is being unloaded. The informant along with Police personnel reached the place of occurrence. On seeing the Police party, four persons started running away. They were apprehended by the Police on chase. They disclosed their names as Sarabder Paswan, Majan Paswan, Ajay Mahto and Sunil Mahto, On search, 5095.44 litres of foreign liquor has been recovered from a truck. The name of petitioner has been disclosed by the persons who

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were apprehended by the Police.

Counsel for the petitioner submits that petitioner has clean antecedent. There is no recovery from conscious possession of the petitioner. He further submits that co-accused Raju Mahto @ Raju Kumar has already been granted bail by this Court vide order dated 21.8.2019 passed in Cr. Misc. 51181 of 2019.

Petitioner is in custody since 19.7.2019 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. 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 learned **2nd Additional Sessions Judge cum Special Judge Excise, Samastipur,** in connection with **Chakmehsi P.S. Case No. 89 of 2019,** subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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