

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67184 of 2019

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

Nawal Mahto @ Nawal Kishore Mahto @ Naval Mahto Son of Late Ram Charan Mahto Resident of Village- Somnaha Bara Tole, P.S.- Chakmehsi, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Prakash Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 272, 273/34 of the Indian Penal Code and Sections 47 & 30(a) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 5095.44 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 11-09-2019. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 5095.44 liters wine is recovered from the truck,



in question. The petitioner was not apprehended on the spot. His name transpired in this case on the basis of disclosure made by the co-accused. The petitioner had no knowledge regarding the goods kept on the truck, in question. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds 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, Samastipur in connection with Chakmeshi P.S. Case No. 89 of 2019.

(Sudhir Singh, J)

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