

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79560 of 2019

Arising Out of PS. Case No.-110 Year-2019 Thana- BATHNAHA District- Sitamarhi

BIMLESH MAHTO Son of Jogindar Mahto @ Yogendra Mahto Resident of
Village - Bakhari Tole Yogiwana, P.S.- Bathnaha, Distt - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Bathnaha P.S. Case No. 110 of 2019 registered for the offence punishable under sections 272 and 273 of the Indian Penal Code and section 30(a) (c) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 140.685 litres of IMFL is said to have been recovered from the bamboo clamp from where two persons managed to escape. It is further stated that one of the two persons, who managed to escape was identified as petitioner.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place either from the



person or possession of the petitioner, who is in custody since 19.11.2019 and has no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Bathnaha P.S. Case No. 110 of 2019.

(Partha Sarthy, J)

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