

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 82517 of 2019**

Arising Out of PS. Case No.-1156 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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JAI KISHUN MAHTO Son of Late Baihya Nath Mahto @ Badya Nath
Mahto Resident of Village - Imambari light house, P.S.- Laheriasarai, District
- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

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

The petitioner seeks bail in GO Case No 1156 of 2019
(PR No 12 of 2019) instituted for the offence under Section(s)
30 (a) of Bihar Prohibition and Excise Act, 2016.

Petitioner is in custody since 12.11.2019. Allegation is of
recovery of Nepali illicit wine totalling 90 liters from joint
family property of the petitioner. It is submitted that the
petitioner has falsely been implicated in this case along with all
members of the family and recovery is not from the conscious
possession of the petitioner. It is further submitted that the
seizure is contrary to the provisions prescribed. Petitioner has



no criminal antecedent.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II -cum- Special Judge (Excise), Darbhanga in connection with GO Case No 1156 of 2019 (PR No 12 of 2019) subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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