

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82983 of 2019**

Arising Out of PS. Case No.-282 Year-2019 Thana- CHANPATIA District- West Champaran

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Rama Mahto, Son of Prabhu Mahto Resident of Village - Garbhua, Lala Tola,  
P.S.- Chanpatiya (Sirisia O.P.), Distt - West Champaran.

... .. 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 : Md. Nazir Ansari

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

2      16-12-2019                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a), 30 (b) & 30 (c) of the Bihar Prohibition and Excise Act, 2016.

50 liters of country made liquor is said to have been recovered from the field of Munna Mahto and 15 liters of country made liquor from the field of Ramji Mahto while petitioner and other accused managed to escape.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or



any activity of brewing liquor. He has been falsely implicated in the case at the instance of his enemies. There is violation of Section 100 Cr.P.C. No offence under Excise Act has been made out against the petitioner. He has no criminal antecedent.

Learned APP for the State opposed the bail petition.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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 Special Judge Excise, West Champaran at Bettiah in connection with Chanpatiya (Sirisia O.P.) P.S. Case No. 282 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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