

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5189 of 2020

Arising Out of PS. Case No.-86 Year-2019 Thana- MORKAHI District- Khagaria

BIJAY MAHTON Son of Gaichu Mahton Resident of Mohalla - Bachhauta,
P.S.- Morkahi, Distt - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Bharat Bhushan (App156)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Morkahi P.S. Case No. 86 of 2019 (GR No. 2064/2019,
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding certain quantity of illicit
liquor having been seized from two bags lying in the open land
of one Mahabir Sao and subsequently, upon investigation, the
name of the petitioner is stated to have transpired in the present
case.

The learned counsel for the petitioner has submitted that
the petitioner has been falsely implicated in the present case. It
is submitted that though the petitioner is an accused in one other



case, but he is on bail in the said case. The petitioner is stated to be languishing in custody since 14.12.2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, coupled with the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Khagaria in connection with Morkahi P.S. Case No. 86 of 2019.

(Mohit Kumar Shah, J)

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