

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 12493 of 2020

Arising Out of PS. Case No.-266 Year-2018 Thana- LADANIA District- Madhubani

Suraj Dev Mahto Son of Kushwar Mahto Resident of Village - Khaira Math,
P.S. - Jaynagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-03-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Ladaniya P.S.
Case No. 266 of 2018 registered for the offence under Sections
272, 273, 414 of the Indian Penal Code and Section 30(a) of
Bihar Prohibition and Excise Act, 2016.

As per F.I.R., 990 liters of Nepali liquor is said to
have recovered at Pillar No. 264/16 near Jogiya village on a
road.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case due to the fact that his
motorcycle was parked there alongwith two other motorcycles
and one Maruti car. Nothing has been recovered either from his
conscious possession or from his motorcycle. It is further
submitted that mandatory provision under Section 100 Cr.P.C.
has not been followed with respect to search and seizure.



Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond 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), Madhubani in connection with Ladaniya P.S. Case No. 266 of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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