

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59914 of 2019

Arising Out of PS. Case No.-175 Year-2019 Thana- MAHARAJGANJ District- Siwan

Rakesh Mahto, Son of Baliram Mahto, Resident of Village-Noniya Dih, P.S.-
Maharajganj, District-Siwan. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Prashant Kumar, Advocate
For the Opposite Party : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-02-2020 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 30(a), 36, 38, 41(i) of
the Bihar prohibition and Excise Act, 2016.

11 litres of mahua is said to have been recovered from
the garbage pit near the house of the petitioner. The petitioner
has falsely been implicated in this case. Petitioner has got no
criminal antecedent. There is no allegation of tempering with
the evidence against the petitioner. It is further contended that
provision of Section 100 Cr.P.C. has not been followed while
making search and seizure.

Considering the facts of the case, provisional bail
allowed to the petitioner under order dated 26.09.2019 is hereby
confirmed.

(Prabhat Kumar Singh, J)

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