

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34738 of 2020

Arising Out of PS. Case No.-103 Year-2020 Thana- KHANPURA District- Samastipur

Santosh Kumar @ Santosh Mahto, Son of Jugal Mahto, Resident of Village - Shobhan, P.S.- Khanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Advocate.

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-03-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Khanpur P.S. Case No. 103 of 2020, registered under Section 30(a) of the Bihar Excise Act, 2016.

The accusation is that in course of patrolling duty, one person was seen on motorcycle in suspicious condition then he was intercepted, who disclosed his name as Kishun Deo Ram. On search of motorcycle, 18 bottles in the volume of 3.240 litre Indian made foreign liquor was recovered. Thereafter, Kishun Deo Ram also



disclosed that he is carrying the bottles of Indian made foreign liquor from the house of Jugal Mahto then house of Jugal Mahto was searched, from where, several bottles, in the volume of 237 litre, Indian made foreign liquor was recovered and Jugal Mahto was also apprehended from the spot.

Learned counsel for the petitioner submits that petitioner, who is aged about 18 years, has falsely been implicated in the present case, as petitioner is the son of co-accused, Jugal Mahto. Further submission is that petitioner, who is the student, has no criminal antecedent.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur, in connection with Khanpur P.S. Case No. 103 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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