

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1307 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- TURKAULIYA District- East Champaran

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Dhurup Mahato, Son of Raj Kumar Mahato, Resident of Village - Chailaha,
Mushahar Toli, P.S.- Banjariya, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.
For the Opposite Party/s : Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-07-2021 Heard Mr. Rajesh Kumar, the learned Advocate for

the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Turkauliya (Banjariya) P.S. Case

No. 31 of 2020, instituted for the offences under Sections

272 and 273 of the Indian Penal Code and Section 30(a) of

the Bihar Prohibition and Excise Act, 2016.



12 litres of locally brewed liquor is said to have been recovered behind the makeshift shop of the petitioner.

It has been submitted on behalf of the petitioner that the recovery is from an open space and, therefore, it cannot be saddled upon him. It has further been submitted that the petitioner has clean antecedents.

These facts indicate, it has been argued, that no offence under the provisions of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act can at all be said to have been made out against the petitioner.

Regard being had to the facts afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 9th Addl. Sessions Judge-Cum-Special Judge, Excise, East Champaran, Motihari in connection with Turkauliya (Banjariya) P.S. Case No. 31 of 2020, subject to the conditions laid down under Section



438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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