

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7826 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -SIKTA District-
WESTCHAMPARAN(BETTIAH)

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Binod Mahto, son of Bindhyachal Mahto, resident of Mohalla - Kalibagh,
Police Station Bettiah Town, District - West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party/s : Smt. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-02-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Sikta
P.S.Case No. 101 of 2016 registered for the offences punishable
under Section 30 of Bihar Prohibition and Excise Act, 2016.

It has been submitted on behalf of the petitioner that
there is alleged recovery of 90 litres of Nepali liquor from the
tempo of which petitioner is driver but in the seizure list itself
neither names and addresses of seizure list witnesses have been
mentioned nor copy of which has been handed over to the
petitioner, as prescribed under Section 100 of the Cr.P.C., as such,
case appears to be false.

Heard learned APP also.

Having heard both sides and considering the fact that
neither names and addresses of seizure list witnesses mentioned in
seizure list nor copy of the seizure list has been handed over to the



petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, West Champaran, Bettiah,, in connection with Sikta P.S.Case No.101 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move the cancellation of his bail.

(Vinod Kumar Sinha, J)

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