

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27648 of 2017

Arising Out of PS.Case No. -753 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

=====

Deepak Mahto, son of Late Yaddu Mahto @ Gajju Mahto, Resident of
Purani Gudari Road (Bhawani Singh Marg) Muzaffarpur, P.S. Town,
District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Mukesh Kumar Jha, Advocate.

For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-07-2017 Learned counsel for the petitioner prays for permission
to correct the quantity as 60 litres in place of 140 litres which has
been inadvertently typed. Permission is granted.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner is in custody since 19.03.2017 in
connection with Town P.S. Case No. 753 of 2016 for the offences
alleged under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

4. It is submitted that the petitioner has been falsely
implicated in connection with the alleged recovery of total 150
litres of *Toddy*. Recovery of the offending goods from the
possession of the petitioner is denied. It is submitted that there is
only one other case of different nature in which he has been made
accused.

5. Be that as it may, having regard to the entirety of the
facts and circumstances of the case as well as the period of custody



since 19.03.2017 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 3rd Additional Sessions Judge-cum-Special Judge Excise Act, Muzaffarpur in connection with Town P.S. Case No. 753 of 2016 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

U		T	
---	--	---	--

