

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32764 of 2017

Arising Out of PS.Case No. -48 Year- 2016 Thana -MALI District- AURANGABAD

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1. Ramesh Mahto, S/o Late Bihari Mahto, resident of Villlage- New Singhauli Dalmiya Nagar O.P., P.S.- Dihari Anson, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-07-2017

Heard the parties.

The petitioner seeks regular bail in connection with Mali P.S.Case No.48 of 2016 dated 1.10.2016, registered for offences punishable under Sections 47/54 of Bihar Excise (Amendment) Act, 2016.

Allegation as per F.I.R. is that one Bolero vehicle was intercepted and a huge quantity of liquor has been recovered and the petitioner is said to be owner of the vehicle.

Submission of the learned counsel for the petitioner is that the petitioner is owner of the vehicle and he was not arrested at the spot and nothing is available on the record to show that he was present there and he has been arrested on the basis of confession taken by pressure and in that confession it is alleged



that his son was doing business. The petitioner is in custody for more than 1 ½ years.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged 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 learned Special Judge, Excise, Aurangabad, in connection with Mali P.S.Case No.48 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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