

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75550 of 2018

Arising Out of PS. Case No.-297 Year-2018 Thana- MIRGANJ District- Gopalganj

Gharbharan Mahto, Son of Dukhi Mahto, Resident of Village- Kasim
Sammal, P.S.-Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyama Kant Singh, Advocate
For the Opposite Party/s : Mr. Smt. Sucheta Yadav (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Mirganj Case No. 297 of 2018 registered for the offences punishable under Section 272 and 273 of Indian Penal code and Section 30(A) of the Bihar Prohibition and Excise Act.

Allegation against petitioner is recovery of 164 liters of foreign liquor from the car of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to local politics. Nothing was recovered from the possession of the petitioner. Petitioner is in custody since 24.10.2018.



Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj, in connection with Mirganj P.S. Case No. 297 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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