

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74490 of 2018

Arising Out of PS. Case No.-169 Year-2018 Thana- DIDARGANJ District- Patna

Rakesh Mahto son of Jugnu Mahto, Resident of Mohalla- Hanuman Nagar,
Police Station- Patrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navin Kumar

For the Opposite Party/s : Mr. Sri Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 18-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Didarganj P.S. Case No. 169 of 2018** registered for the offence punishable under Sections 37(c), 38(1) of the Bihar Prohibition and Excise Act, 2016. and later on Section 30(a) of the Bihar Prohibition and Excise Act, 2016 was added.

Allegation is of recovery of 5 litres of foreign liquor and 40 litres of country made liquor from the joint possession of petitioner and other co-accused persons.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 26.11.2018 in Criminal Miscellaneous No. 65916 of 2018



and 02.11.2018 in Criminal Miscellaneous No. 66697 of 2018.
Petitioner has got no criminal antecedent and is in custody since
22.09.2018.

Considering the aforesaid facts and circumstances of
the case, let the petitioner named above be released on bail upon
furnishing bail bond of Rs. 10,000/- with two sureties of the like
amount each to the satisfaction of learned **Special Judge,
Excise, Patna** in connection with **Didarganj P.S. Case No. 169
of 2018** , with following 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 properly 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 offence, after his release on bail, the trial court shall
take steps to cancel his bail bond.

(S. Kumar, J)

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